

2025 Regular Session

SENATE BILL NO. 161

BY SENATORS MIZELL, ABRAHAM, BOUIE, CONNICK, HARRIS AND MORRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ECONOMIC DEVELOP DEPT. Provides relative to Louisiana Economic Development.
(8/1/25)

AN ACT

To amend and reenact R.S. 36:101(C)(1), 104(A)(17), the introductory paragraph of 108(B), and 109(B), R.S. 51:940.1(A), 2311(D), 3132(7), 3135, and 3136(A), to enact R.S. 36:109(E) and (F) and R.S. 51:2364, and to repeal R.S. 47:6007(B)(18) and 6022(C)(7) and R.S. 51:935.1, 938.1, 2314, 3131, 3132(8), (9), and (10), 3133, and 3137, relative to economic development; to provide relative to Louisiana Economic Development; to provide for the structure and organization of Louisiana Economic Development; to provide for powers and duties of the secretary of economic development; to create the Louisiana Economic Development Innovation Fund; to provide for membership and duties of an advisory board; to provide terms and definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:101(C)(1), 104(A)(17), the introductory paragraph of 108(B), and 109(B) are hereby amended and reenacted and R.S. 36:109 (E) and (F) are hereby enacted to read as follows:

§101. Louisiana Economic Development; creation; domicile; composition; purposes and functions

* * *

C.(1) ~~The~~ Louisiana Economic Development shall be composed of the executive office of the secretary, the office of management and finance, the office of business development, the office of port development, **office of economic development** and other offices as shall be created by law.

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§104. Powers and duties of the secretary of economic development

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, the secretary shall:

* * *

(17)(~~a~~) Notwithstanding any provision of law to the contrary and with the approval of the commissioner of administration, have the authority to:

(i) ~~enter~~ **Enter** into a cooperative endeavor agreement **or an interagency agreement** providing for the lease, **sublease, or sale** of property **that is designated by the commissioner of administration to be** under the control and supervision of Louisiana Economic Development for establishment and operation of a facility for the purpose of creating economic benefits to the state, including new jobs, payroll, or other benefits.

(ii) **Directly purchase property by act of cash sale or enter into an option for purchase of property for the purpose of creating economic benefits to the state, including new jobs, payroll, or other benefits.**

(b) **Any revenue received from the lease, sublease, or sale of property pursuant to this Paragraph shall be deemed self-generated revenue and shall be deposited into the Site Investment and Infrastructure Improvement Fund.**

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§108. Offices; purposes and functions

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B. The office of ~~business~~ **economic** development shall perform the following functions of the state:

* * *

§109. Transfer of boards, commissions, departments, and agencies to Louisiana

Economic Development

* * *

B. The following agencies are placed within ~~the~~ Louisiana Economic Development and shall perform and exercise their powers, duties, functions, and responsibilities as provided by law:

(1) ~~The office of entertainment industry development (R.S. 51:938.1).~~

(2) ~~The office of international commerce and the Louisiana Board of International Commerce (R.S. 51:3131 et seq.~~ **R.S. 51:3132 et seq.**

~~(3)~~**(2)** The Louisiana Military Advisory Council (R.S. 29:61 et seq.).

* * *

E. The office of entertainment industry development is hereby abolished and its powers, duties, functions, and responsibilities are transferred to Louisiana Economic Development and hereafter shall be exercised and performed as provided in R.S. 36:921 et seq.

F. The office of international commerce is hereby abolished and its powers, duties, functions, and responsibilities are transferred to Louisiana Economic Development and hereafter shall be exercised and performed as provided in R.S. 36:921 et seq.

Section 2. R.S. 51:940.1(A), 2311(D), 3132(7), 3135, and 3136(A) are hereby amended and reenacted and R.S. 51:2364 is hereby enacted to read as follows:

§940.1. Motion picture investor; prohibition on certification for pornographic materials

A. Purpose. The purpose of this Section is to provide heightened standards and procedures for Louisiana Economic Development ~~or the office of entertainment industry development.~~

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§2311. Louisiana Economic Development Corporation; creation; domicile; board of

1 directors; terms; agency

2 * * *

3 D. The corporation shall be governed and its corporate powers exercised by
4 the board of directors. The secretary of Louisiana Economic Development shall serve
5 as president of the corporation, and the secretary or his designee shall be a member
6 of the board of directors. The ~~undersecretary~~ **deputy secretary** of Louisiana
7 Economic Development **or his designee** shall serve as secretary-treasurer of the
8 board but shall not be a member of the board.

9 * * *

10 **§2364. Louisiana Economic Development Innovation Fund**

11 **A.(1) There shall hereby be established within the state treasury a special**
12 **fund, the Louisiana Economic Development Innovation Fund, hereinafter**
13 **referred to as the "fund". After compliance with the requirements of Article**
14 **VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security**
15 **and Redemption Fund, all monies received for the purpose of the fund shall be**
16 **deposited into the fund.**

17 **(2) Monies in the fund shall be used solely for economic development**
18 **initiatives as determined appropriate by the secretary, who shall develop**
19 **guidelines for objectives and performance-based criteria for fund distribution.**

20 **(3) The source of monies in the fund shall be any monies transferred or**
21 **appropriated by the legislature, grants, donations, or other monies which may**
22 **become available.**

23 **B. The treasurer shall invest the monies in the fund in the same manner**
24 **as funds are invested in the general fund. Interest earned from the investment**
25 **of monies in the fund shall be credited back to the fund. All unexpended and**
26 **unencumbered money remaining in the fund at the end of the fiscal year shall**
27 **be retained within the fund.**

28 * * *

29 §3132. Definitions

As used in this Chapter, the following terms shall have the meanings ascribed to them below:

* * *

(7) ~~"Master plan" means the Master Plan of International Commerce.~~

(8) ~~"Office" means the office of international commerce within Louisiana Economic Development.~~

(9) ~~"Project" means but is not limited to the construction of a physical asset and associated infrastructure to be used in the course of the business of international commerce, a business activity such as a marketing effort or the development of a business relationship, or an executable strategy such as joint ventures between governmental and nongovernmental organizations or businesses. Projects may be undertaken by the office, another agency, or other entities as described in this Chapter. For the purposes of this Chapter, "project" shall not be construed to include any of the following:~~

(a) ~~A project not consisting of the construction of a physical asset, including infrastructure, with a projected final cost of less than one million dollars.~~

(b) ~~A project consisting of construction of a physical asset, including infrastructure, with a projected final cost of less than five million dollars.~~

(c) ~~As it relates to ports, a project of any inland port or a project from any port or harbor district other than an international port.~~

(10) ~~"Secretary" means the secretary of Louisiana Economic Development.~~

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§3135. Louisiana Board of International Commerce

A. The Louisiana Board of International Commerce is hereby created ~~within the office of international commerce of~~ **as an advisory board to** Louisiana Economic Development. The board shall be domiciled in East Baton Rouge Parish.

B. The board shall exercise, subject to the provisions of this Chapter, the following duties:

(1) ~~Develop, coordinate, implement, make reports on, manage, and provide~~

oversight of the Master Plan of International Commerce and prepare annual reports to the legislature. The master plan Conduct meetings, studies, and investigations as the secretary may direct and shall report its findings and recommendations to the secretary. The recommendations may be incorporated into Louisiana Economic Development's master strategic plan, which shall position Louisiana as a leader in international commerce and trade and shall include a comprehensive strategy addressing all matters of international commerce and trade for the state of Louisiana. An annual report shall monitor the progress of the implementation of the master plan and shall be submitted to the legislature for approval as set forth in R.S. 51:3137.

(2) Develop and execute a strategy to coordinate planning, marketing, and resources between all private or nongovernmental organizations, private business interests, international ports, the department Louisiana Economic Development, and other departments of federal and state government, including the Department of Transportation and Development, the Department of Agriculture and Forestry, the Department of Culture, Recreation and Tourism, and any other federal or state governmental agency involved in international commerce.

(3) Monitor implementation of a state strategy to attract foreign direct investment and to attract international business to Louisiana.

~~(3) Establish criteria for projects to be included in the master plan and use these criteria to evaluate and approve projects for inclusion in the master plan that are submitted by the organizations, entities, or persons provided in Paragraph (2) of this Subsection.~~

~~(4) Include in the master plan projects approved by the board.~~

~~(5) Include in the annual report a detailed description of each project included in the master plan, and the current status of approved projects.~~

~~(6) Create a mechanism to establish priorities of the approved projects and establish a procedure for the use of the priority system to control the order in which projects included in the master plan are executed.~~

1 ~~(7) Coordinate and assist the organizations, entities, or persons described in~~
2 ~~Paragraph (2) of this Subsection in its development and execution of projects that are~~
3 ~~approved by the board as being consistent with the comprehensive strategy of the~~
4 ~~master plan and in the priority order established by the board. Such assistance by the~~
5 ~~board shall include but not be limited to coordination between governmental and~~
6 ~~nongovernmental organizations as well as assistance with the identification of capital~~
7 ~~resources for the use of organizations that develop projects.~~

8 ~~(8) Monitor implementation of a state strategy to attract foreign direct~~
9 ~~investment and to attract international corporate business to Louisiana.~~

10 ~~(9) Identify, solicit, and recommend to the secretary, partnerships, joint~~
11 ~~ventures, memoranda of understanding, cooperative endeavors, or other similar~~
12 ~~relationships with local, state, or federal public entities, foreign governments,~~
13 ~~nongovernmental organizations, or private entities and business interests to~~
14 ~~implement the master plan. Such public entities shall include but are not limited to~~
15 ~~the following: the Department of Transportation and Development, the Department~~
16 ~~of Agriculture and Forestry, and the Department of Culture, Recreation and Tourism.~~

17 ~~(10) Identify, accept, obtain or assist in obtaining, foreign, federal, state, and~~
18 ~~private funds consistent with the provisions of this Chapter. Such funds shall include~~
19 ~~funds from matching sources, gifts, grants, and donations.~~

20 ~~(11) Develop and implement methods to self-generate funds. Such funds~~
21 ~~obtained consistent with the provisions of this Chapter shall be used solely for the~~
22 ~~operations of the office and execution of projects included in the master plan.~~

23 ~~(12) Identify funding sources for infrastructure that is required to support~~
24 ~~projects or existing facilities and assist organizations, entities, or persons provided~~
25 ~~in Paragraph (2) of this Subsection to enter into business relationships, such as~~
26 ~~public-private partnerships, to secure funding for such infrastructure.~~

27 ~~(13) Conduct meetings and hold hearings.~~

28 ~~(14) Adopt rules in accordance with the Administrative Procedure Act~~
29 ~~consistent with the provisions of this Chapter.~~

1 ~~(15) As determined by the board, the chairman shall appoint advisory~~
2 ~~subcommittees to review, evaluate, and report to the board on projects proposed for~~
3 ~~inclusion in the master plan or for other purposes as approved by the board. In~~
4 ~~accordance with the scope of the subcommittee's work, the subcommittee may~~
5 ~~include non-board personnel. Such personnel shall not be compensated by the board.~~
6 ~~The board may request the secretary to engage experts to assist the board in~~
7 ~~performing its functions and duties. Every effort shall be made to utilize the staff of~~
8 ~~the office, department, international ports, nongovernmental organizations, or state~~
9 ~~universities prior to the engagement of outside experts.~~

10 ~~(16) Establish a recommended annual budget for the operation of the office~~
11 ~~and submit such recommended budget to the secretary for inclusion in the~~
12 ~~department's annual budget. Funding of the office for the first year of operation shall~~
13 ~~be derived from existing department resources and funds. Details of the office's~~
14 ~~revenues and expenses, including its recommended annual budget, shall be included~~
15 ~~in the annual report.~~

16 ~~(17) Expend funds consistent with the provisions of this Chapter.~~

17 ~~(18) Recommend that the secretary enter into agreements, memoranda of~~
18 ~~understanding, and cooperative endeavors with foreign governments, private entities,~~
19 ~~nongovernmental organizations, and local, state, and federal public entities that are~~
20 ~~consistent with the provisions of this Chapter.~~

21 ~~(19) Provide recommendations to the legislature with respect to the~~
22 ~~implementation, management, and funding of the office.~~

23 ~~(20) Present recommendations to the House Committee on Commerce and~~
24 ~~the Senate Committee on Commerce, Consumer Protection, and International Affairs~~
25 ~~by February first of each year for proposed legislation consistent with the~~
26 ~~comprehensive strategy of the master plan and the provisions of this Chapter.~~

27 ~~(21) Advise the secretary on any matter regarding the office.~~

28 §3136. Membership of board

29 A. The board shall consist of the following members:

(1) The secretary of the department or his designee.

~~(2) The secretary of the Department of Transportation and Development or his designee.~~

~~(3) The commissioner of the Department of Agriculture and Forestry or his designee.~~

~~(4) The secretary of the Department of Culture, Recreation and Tourism or his designee, with consideration given to the appointment of the executive director of the Council on the Development of French in Louisiana as his designee.~~

~~(5)(a)~~**(3)** Eight members appointed by the governor, **one from within the geographic boundaries of each of the state's eight** who represent regional economic development organizations in the state. Such members shall, to the greatest extent possible, be engaged in international commerce or trade. The governor shall make the appointment from a list of names submitted by the following organizations:

~~(i) Greater New Orleans, Inc.~~

~~(ii) Baton Rouge Area Chamber.~~

~~(iii) Central Louisiana Economic Development Alliance.~~

~~(iv) Southwest Louisiana Partnership for Economic Development.~~

~~(v) North Louisiana Economic Partnership.~~

~~(vi) Acadiana Economic Development Council, Inc.~~

~~(vii) Northeast Louisiana Economic Alliance.~~

~~(viii) Jefferson Parish Economic Development Commission.~~

~~(ix) South Louisiana Economic Council.~~

~~(x) Ascension Chamber of Commerce.~~

~~(xi) River Region Chamber of Commerce.~~

~~(b) Each organization shall submit two names to the governor.~~

~~(6)(a)~~**(4)** Four **Six** members appointed by the governor, of which ~~two members~~ **one member** shall represent international business, ~~and two members~~ **one member** shall represent manufacturing business relating to international commerce, **two members shall represent the state's ports, and two members shall represent**

1 **the state's utility providers.** ~~The governor shall make the appointments from a list~~
2 ~~of names submitted by the following organizations:~~

3 ~~(i) Louisiana Association of Business and Industry.~~

4 ~~(ii) The National Federation of Independent Business.~~

5 ~~(iii) The World Trade Center New Orleans.~~

6 ~~(iv) The Louisiana Chemical Association.~~

7 ~~(v) New Orleans Board of Trade.~~

8 ~~(vi) Le Centre International De Lafayette.~~

9 ~~(b) Each organization shall submit two names to the governor.~~

10 ~~(7)(a) Six members appointed by the governor who represent international~~
11 ~~ports. The governor shall make the appointments from a list of names submitted by~~
12 ~~the following:~~

13 ~~(i) Port of Greater Baton Rouge.~~

14 ~~(ii) Lake Charles Harbor and Terminal District, Port of Lake Charles.~~

15 ~~(iii) Port of New Orleans.~~

16 ~~(iv) Plaquemines Port, Harbor and Terminal District.~~

17 ~~(v) St. Bernard Port, Harbor and Terminal District.~~

18 ~~(vi) Port of South Louisiana.~~

19 ~~(b) Each port shall submit two names to the governor. The governor shall~~
20 ~~select at least one representative from each of the ports submitting nominations.~~

21 ~~(8)(a) One member appointed by the governor to represent the state's airports.~~

22 ~~The governor shall make the appointments from a list of names submitted by~~
23 ~~the following:~~

24 ~~(i) Baton Rouge Metropolitan Airport.~~

25 ~~(ii) The Chennault International Airport Authority.~~

26 ~~(iii) Louis Armstrong New Orleans International Airport.~~

27 ~~(iv) Shreveport Regional Airport.~~

28 ~~(v) England Airpark.~~

29 ~~(vi) Lafayette Regional Airport.~~

(vii) ~~Monroe Regional Airport.~~

(b) ~~Each airport shall submit two names to the governor. The governor shall select one representative from the airports submitting nominations.~~

~~(9)~~**(5)** The commissioner of the office of multimodal commerce in the Department of Transportation and Development or his designee.

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Section 3. R.S. 47:6007(B)(18) and 6022(C)(7) and R.S. 51:935.1, 938.1, 2314, 3131, 3132(8), (9), and (10), 3133, and 3137 are hereby repealed.

Section 4. The Louisiana State Law Institute is hereby directed to change all references to the "office of entertainment industry development" to the "office of economic development" in Louisiana Economic Development, throughout Title 47 of the Louisiana Revised Statutes of 1950.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 161 Reengrossed

2025 Regular Session

Mizell

Present law provides that Louisiana Economic Development (LED) shall be composed of the executive office of the secretary, the office of management and finance, the office of business development, the office of port development, and other offices created by law.

Proposed law merges the functions and responsibilities of the executive office of the secretary, the office of management and finance, the office of business development, and the office of port development with the office of economic development.

Present law provides that the secretary shall have authority to enter into cooperative endeavor agreements providing for the lease of property under the control and supervision of LED.

Proposed law retains present law and adds that the secretary shall have authority to enter into cooperative endeavor agreements or interagency agreements providing for the subleasing or sale of property that is designated by the commissioner of administration to be under the control and supervision of LED, and authorizes the secretary to directly purchase property by act of cash sale or enter into an option for purchase of property. Further provides that any revenue received from such shall be deemed as self-generated revenue and shall be deposited into the Site Investment and Infrastructure Fund.

Present law provides that the office of business development shall perform certain functions of the state.

Proposed law retains present law except changes the name of the office of business development to the office of economic development.

Present law places the office of entertainment industry development, the office of international commerce and the La. Board of International Commerce, and the La. Military Advisory Council within LED.

Proposed law abolishes the office of entertainment industry development and the office of international commerce and transfers its powers, duties, and functions to LED.

Present law creates the La. Economic Development Corporation and provides that the corporation shall be governed and its corporate powers shall be exercised by a board of directors. Provides that the secretary of LED shall serve as president of the corporation, and the secretary or his designee shall be a member of the board of directors. Provides that the undersecretary of LED shall serve as secretary-treasurer of the board but shall not be a member of the board.

Proposed law retains present law in part except provides that the deputy secretary of LED or a designee shall serve as secretary-treasurer of the board but shall not be a member of the board.

Present law provides that the La. Economic Development Corporation has the authority to establish a nonprofit corporation as a state development company, to engage in cooperative endeavors with the federal government, primarily focusing on participating in loan programs, for which it may become eligible. Further provides that members of the board of directors for the La. Economic Development Corporation may also serve as board members for the nonprofit corporation.

Proposed law repeals present law.

Proposed law creates, within the state treasury, the La. Economic Development Innovation Fund (fund).

Proposed law requires monies in the fund to be utilized solely for economic development initiatives as determined appropriate by the secretary, who will develop certain guidelines for objectives and performance-based criteria for fund distribution.

Proposed law provides that the source of monies in the fund shall be any monies transferred or appropriated by the legislature, grants, donations, or other monies which may become available.

Proposed law provides that the treasurer shall invest the monies in the fund in the same manner as funds are invested in the general fund and all interest earned from investment of monies in the fund shall be credited back to the fund. Provides that all unexpended and unencumbered money remaining in the account at the end of the fiscal year shall be retained within the account.

Present law defines the terms "master plan", "office", and "project".

Proposed law removes the terms "master plan", "office", and "project" from present law.

Present law creates the La. Board of International Commerce (the board) within the office of international commerce of LED and provides that the board shall exercise certain duties.

Proposed law removes the board from the office of international commerce and provides that the board will operate as an advisory board to LED. Removes all the duties of the board in present law and provides that the board shall have the following duties:

- (1) Conduct meetings, studies, and investigations as the secretary may direct and report all findings and recommendations thereon to the secretary.

- (2) Execute a strategy to coordinate planning, marketing, and resources between all private or nongovernmental organizations, private business interest, international ports, LED, and other departments of federal and state government.
- (3) Monitor implementation of a state strategy to attract foreign direct investment and to attract international business to the state.

Present law provides that the board shall consist of the following members:

- (1) The secretary of LED, or his designee.
- (2) The secretary of the Dept. of Transportation and Development, or his designee.
- (3) The commissioner of the Dept. of Agriculture and Forestry, or his designee.
- (4) The secretary of the Dept. of Culture, Recreation and Tourism, or his designee.
- (5) Eight members appointed by the governor, who represent regional economic development organizations in the state.
- (6) Four members appointed by the governor, representing international business and manufacturing business, relating to international commerce.
- (7) Six members appointed by the governor who represent international ports.
- (8) One member appointed by the governor to represent the state's airports.
- (9) The commissioner of the office of multimodal commerce in the Dept. of Transportation and Development, or his designee.

Proposed law changes the membership of the board as follows:

- (1) The secretary of the LED or his designee.
- (2) The commissioner of the Dept. of Agriculture and Forestry, or his designee.
- (3) Eight members appointed by the governor, one from within the geographic boundaries of each of the state's eight regional economic development organizations.
- (4) Six members appointed by the governor, of which one member shall represent international business, one member shall represent manufacturing business relating to international commerce, two members shall represent state's ports and two members shall represent the state's utility providers.
- (5) The commissioner of the office of multimodal commerce in the Dept. of Transportation and Development, or his designee.

Effective August 1, 2025.

(Amends R.S. 36:101(C)(1), 104(A)(17), 108(B)(intro para), and 109(B), R.S. 51:940.1(A), 2311(D), 3132(7), 3135, and 3136(A); adds R.S. 36:109 (E) and (F) and R.S. 51:2364; repeals R.S. 47:6007(B)(18) and 6022(C)(7) and R.S. 51:935.1, 938.1, 2314, 3131, 3132(8), (9), and (10), 3133, and 3137)

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Adds that the secretary of LED shall have authority to enter into interagency agreements providing for the subleasing or sale of certain property
2. Repeals present law that establishes the La. Economic Development Corporation.
3. Makes technical changes.

Senate Floor Amendments to engrossed bill

1. Requires monies in the fund to be utilized solely for economic development initiatives as determined appropriate by the secretary.
2. Provides that the source of monies in the fund shall be any monies transferred or appropriated by the legislature, grants, donations, or other monies which may become available.
3. Provides that all interest earned from investment monies in the fund shall be credited back to the fund.
4. Provides for additional duties for the La. Board of International Commerce.
5. Makes technical changes.