

2025 Regular Session

HOUSE BILL NO. 125

BY REPRESENTATIVE HORTON

1 AN ACT

2 To amend and reenact R.S. 22:918(B)(1) and to enact Chapter 59-B of Title 51 of the
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3181 through 3185,
4 relative to protecting an individual's genomic information; to provide for definitions;
5 to prohibit the use of certain genetic sequencers and software; to limit storage
6 locations and remote access to genomic information; to provide for penalties; to
7 provide for fines and damages; to provide for information derived from genetic
8 research; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 22:918(B)(1) is hereby amended and reenacted to read as follows:
11 §918. Prohibited discrimination; genetic information derived from participation in
12 genetic research or testing or clinical research; definitions

13 * * *

14 B. An insurer, in determining eligibility for coverage, establishing premiums,
15 limiting coverage, or making any other underwriting decisions, shall not do either
16 of the following:

17 (1) Take into consideration the fact that an individual or a family member
18 of the individual participated in genetic research or testing, including any request for
19 or receipt of genetic services or participation by an individual or family member in
20 clinical research or testing that includes genetic services, unless the results of that

1 genetic research or test are ~~included in the individual's medical record or provided~~
2 by the individual for consideration by the insurer.

3 * * *

4 Section 2. Chapter 59-B of Title 51 of the Louisiana Revised Statutes of 1950,
5 comprised of R.S. 51:3181 through 3185, is hereby enacted to read as follows:

6 CHAPTER 59-B. HUMAN GENOMIC SECURITY

7 §3181. Short title; purpose; legislative intent

8 A. This Chapter may be cited as the "Louisiana Human Genomic Security
9 Act of 2025".

10 B.(1) The purpose of this Chapter is to ensure that blacklisted adversary
11 military companies do not gain access to American human genetic information.

12 (2) It is declared the policy of this state to oppose the collection and analysis
13 of human genetic information for use by the military and surveillance state of the
14 People's Republic of China and other foreign adversaries. It is furthermore declared
15 the policy of this state to support sanctions imposed by the United States Department
16 of Commerce and the United States Department of Defense upon companies engaged
17 in the collection and analysis of human genetic information for use by the military
18 and surveillance state of the People's Republic of China and other foreign
19 adversaries.

20 §3182. Definitions

21 As used in this Chapter, the following definitions apply:

22 (1) "Company" means a for-profit sole proprietorship, organization,
23 association, corporation, partnership, joint venture, limited partnership, limited
24 liability partnership, or limited liability company, including a wholly owned
25 subsidiary, majority-owned subsidiary, or parent company of those entities or
26 business associations that exists to make a profit; or a nonprofit organization.

27 (2) "Domicile" means any of the following:

28 (a) The country where a company is registered and headquartered.

29 (b) The country where a company's affairs are primarily completed.

30 (c) The country where a majority ownership of the company is held.

1 (3) "Foreign adversary" means any of the following nations:

2 (a) The People's Republic of China including the Hong Kong Special
3 Administrative Region.

4 (b) Republic of Cuba.

5 (c) Islamic Republic of Iran.

6 (d) Democratic People's Republic of Korea.

7 (e) Russian Federation.

8 (4) "Foreign adversary company" means any company, other than a United
9 States person or United States subsidiary as defined in 15 CFR 772.1, that is any of
10 the following:

11 (a) Domiciled, incorporated, issued, or listed in a foreign adversary country.

12 (b) Headquartered in a foreign adversary country.

13 (c) Has its principal place of business in a foreign adversary country.

14 (d) Controlled by the government of the People's Republic of China, the
15 Chinese Communist Party, the Chinese military, or any instrumentality thereof,
16 including the State-owned Assets Supervision and Administration Commission of
17 the State Council or the National Social Security Fund.

18 (e) Is majority-owned by an entity controlled by the government of the
19 People's Republic of China, the Chinese Communist Party, the Chinese military, or
20 any instrumentality thereof, including the State-owned Assets Supervision and
21 Administration Commission of the State Council or the National Social Security
22 Fund.

23 (f) Itself receives or is the subsidiary of a parent company which receives
24 more than fifty percent of its total annual revenue from a foreign adversary country.

25 (5) "Human genetic sequencer" means a device or platform used to conduct
26 human genetic sequencing, resequencing, isolation, or other genetic research.

27 (6) "Human genetic sequencing" means any method to determine the identity
28 and order of nucleotide bases in the human genome.

29 (7) "Human genomic research facility" means a facility that conducts
30 research on, with, or relating to genetic sequencing or the human genome.

1 (8) "Human genome" means the complete set of deoxyribonucleic acid
 2 instructions found within a human cell encompassing all the genetic information
 3 needed for an individual to develop and function.

4 (9) "Medical facility" means either of the following:

5 (a) A facility for the delivery of healthcare services that receives state
 6 monies including interagency pass-through appropriations from the federal
 7 government.

8 (b) A facility licensed or certified by this state to provide healthcare services.

9 (10) "Operational and research software" means a computer program used
 10 for the operation, control, analysis, or other necessary functions of human genetic
 11 sequencing or human genetic sequencers.

12 §3183. Prohibition on certain genetic sequencers and genetic sequencing
 13 technologies

14 A medical facility or research facility in this state shall not put into service
 15 within this state any new or additional human genetic sequencers or operational and
 16 research software used for human genetic analysis produced by any of the following:

17 (1) The government of a foreign adversary.

18 (2) A state-owned company of a foreign adversary.

19 (3) A foreign adversary company.

20 §3184. Requirements for the storage of genetic information

21 A. A medical facility, human genomic research facility, or company shall
 22 restrict the storage of human genetic sequencing data to geographic locations outside
 23 of a foreign adversary country. Remote access to data storage, other than open data,
 24 from a foreign adversary country is prohibited.

25 B. A medical facility, human genomic research facility, or company storing
 26 human genetic sequencing data, including through contracts with third-party data
 27 storage companies, shall ensure the security of human genetic sequencing data by
 28 using reasonable encryption methods, restrictions on access, and other cybersecurity
 29 best practices.

1 §3185. Penalties; powers of the attorney general

2 A.(1) A medical facility or human genomic research facility that violates the
3 provisions of this Chapter shall be fined ten thousand dollars per violation. A
4 violation means each unique instance of an individual's genome having undergone
5 genetic sequencing or analysis using a prohibited human genetic sequencer or a
6 prohibited operational or research software.

7 (2) A medical facility, human genomic research facility, or company that
8 knowingly violates the provisions of this Chapter by storing human genetic
9 sequencing data in a foreign adversary country shall be fined ten thousand dollars per
10 violation.

11 B. The attorney general has the sole authority to investigate allegations of
12 violations of this Chapter and to enforce violations of R.S. 51:3183 and 3184.

13 Section 3. The provisions of R.S. 51:3183 as enacted by Section 2 of this Act are
14 effective upon signature of the governor and shall have prospective application only.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____