

2026 Regular Session

SENATE BILL NO. 399

BY SENATOR BASS

COLLEGES/UNIVERSITIES. Creates the Louisiana Higher Education Research Security Council. (2/3-CA7s2.1(A)) (1/1/27)

AN ACT

To enact Part III-D of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1828 through 1828.11, relative to institutions of higher education; to create the Louisiana Higher Education Research Security Council; to provide for definitions; to provide relative to council responsibilities; to provide for requirements for gifts, contracts, research partnerships, and academic partnerships from foreign adversaries; to provide for penalties; to provide relative to international cultural agreements; to provide relative to travel and gift prohibitions; to provide relative to research partnerships; to provide relative to educational software linked to foreign adversaries; to provide relative to political parties and members; to provide relative to the theft of trade secrets; to provide for severability; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part III-D of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:1828 through 1828.11, is hereby enacted to read as follows:

**PART III-D. RESEARCH AND EDUCATION PROTECTION ACT OF 2026**

**§1828. Short title; purpose**

1                    A. This Part shall be known and cited as the "Research and Education  
2 Protection Act of 2026".

3                    B. The purpose of this Part is to protect Louisiana's research and  
4 educational systems from malicious influence from foreign adversaries.

5 §1828.1. Definitions

6                    As used in this Part, the following terms have the following meanings  
7 unless the context clearly indicates otherwise:

8                    (1) "Academic partnership" shall mean a formal collaboration between  
9 two or more educational or research institutions to achieve shared goals in  
10 teaching, research, or innovation.

11                    (2) "Affiliate organization" shall mean any entity under the control of  
12 or established for the benefit of an organization required to report under this  
13 Part, including a direct-support organization.

14                    (3) "Agreement" means a written or spoken statement of mutual interest  
15 in cultural exchange, academic, or research collaboration.

16                    (4) "Contract" shall mean any agreement for the acquisition by  
17 purchase, lease, or barter of property or services, for the direct benefit or use  
18 of either of the parties.

19                    (5) "Council" shall mean the Louisiana Higher Education Research  
20 Security Council established under this Part.

21                    (6) "Direct-support organization" shall mean an organization which is  
22 organized and operated to receive, hold, invest, and administer property and to  
23 make expenditures to or for the benefit of a state college, university, or other  
24 educational institution or for the benefit of a research and development park or  
25 research and development authority affiliated with a state college, university,  
26 or other educational institution.

27                    (7) "Foreign adversary" shall mean those countries listed as foreign  
28 adversaries in 15 CFR 791.4 and those countries and entities designated as  
29 foreign terrorist organizations by the secretary of state in accordance with

1 Section 219 of the Immigration and Naturalization Act, as amended, including  
2 any agent of or any other entity under significant control of such foreign  
3 adversary.

4 (8) "Foreign agent" shall mean any officer, employee, proxy, servant,  
5 delegate, or representative of a foreign government.

6 (9) "Foreign government" shall mean the government of any country,  
7 nation, or group of nations, or any province or other political subdivision of any  
8 country or nation, other than the government of the United States, including  
9 any agent of such foreign government.

10 (10) "Foreign instrumentality" shall mean any agency, bureau, ministry,  
11 component, institution, association, or any legal, commercial, or business  
12 organization, corporation, firm, or entity that is substantially owned, controlled,  
13 sponsored, commanded, managed, or dominated by a foreign government.

14 (11) "Foreign source" shall mean any of the following:

15 (a) A foreign government or an agency of a foreign government.

16 (b) A legal entity, governmental or otherwise, created solely under the  
17 laws of a foreign state or states.

18 (c) An individual who is not a citizen or a national of the United States  
19 or a territory or protectorate of the United States.

20 (d) A partnership, association, corporation, organization, or any other  
21 combination of persons organized under the law or having its principal place  
22 of business in a foreign country, or a subsidiary of such entity.

23 (e) An agent, including a subsidiary or an affiliate of a foreign legal  
24 entity, acting on behalf of a foreign source.

25 (f) A political party or member of a political party.

26 (12) "Gift" shall mean any gift, grant, endowment, award, or donation  
27 of money or property of any kind, or any combination thereof, including a  
28 conditional or unconditional pledge of such gift, endowment, award, or  
29 donation.

1           (13) "Grant" shall mean a transfer of money for a specified purpose,  
2           including a conditional gift.

3           (14) "Institution of higher education" shall mean a state college or  
4           university or an independent nonprofit college or university that is located in  
5           and chartered by the state and grants baccalaureate or higher degrees, or any  
6           other institution that has a physical presence in the state and is required to  
7           report foreign gifts or contracts pursuant to 20 USC §1011f, or an affiliate  
8           organization to a covered institution.

9           (15) "Interest" in an entity shall mean any direct or indirect investment  
10          in or loan to the entity valued at five percent or more of the entity's net worth,  
11          or any form of direct or indirect control exerting similar or greater influence  
12          on the governance of the entity.

13          (16) "Obtain or use" shall mean any manner of:

14          (a) Taking or exercising control over property.

15          (b) Making any unauthorized use, disposition, or transfer of property.

16          (c) Obtaining property by fraud, willful misrepresentation of a future  
17          act, or false promise.

18          (d) Conduct previously known as stealing, larceny, purloining,  
19          abstracting, embezzlement, misapplication, misappropriation, conversion, or  
20          obtaining money or property by false pretenses, fraud, or deception; or other  
21          conduct similar in nature.

22          (17) "Partnership" shall mean a faculty or student exchange program,  
23          a study abroad program, a matriculation program, a recruiting program, or a  
24          dual degree program.

25          (18) "Person" shall mean any natural person, corporation, business  
26          trust, estate, trust, partnership, association, joint venture, government,  
27          governmental subdivision or agency, or any other legal or commercial entity.

28          (19) "Pledge" shall mean a promise, an agreement, or an expressed  
29          intention to give a gift.

1           **(20) "Political party" shall mean an organization or combination of**  
2           **individuals whose aim or purpose is, or who is engaged in any activity devoted**  
3           **in whole or in part to, the establishment, administration, control, or acquisition**  
4           **of administration or control of a government of a foreign country or a**  
5           **subdivision thereof.**

6           **(21) "Research partnership" shall mean a collaborative agreement**  
7           **between a Louisiana institution of higher education and another institution of**  
8           **higher education, research institute, government agency, nonprofit**  
9           **organization, or private sector company.**

10           **(22) "Trade secret" shall mean the whole or any portion or phase of any**  
11           **formula, pattern, device, combination of devices, or compilation of information**  
12           **which is for use, or is used, in the operation of a business and which provides**  
13           **the business an advantage, or an opportunity to obtain an advantage, over those**  
14           **who do not know or use it. The term shall include any scientific, technical, or**  
15           **commercial information, including financial information. It also includes any**  
16           **design, process, procedure, list of suppliers, list of customers, business code, or**  
17           **improvement thereof, whether tangible or intangible, and regardless of how it**  
18           **is stored, compiled, or memorialized physically, electronically, graphically,**  
19           **photographically, or in writing. Irrespective of novelty, invention, patentability,**  
20           **the state of the prior art, and the level of skill in the business, art, or field to**  
21           **which the subject matter pertains; a trade secret is considered to be:**

22           **(a) Secret.**

23           **(b) Of value.**

24           **(c) For use or in use by a business, institution of higher education,**  
25           **research center, nonprofit, or other entity.**

26           **(d) Of advantage to the business, institution of higher education,**  
27           **research center, nonprofit, or other entity; or providing an opportunity to**  
28           **obtain an advantage over those who do not know or use it.**

29           **(e) When the owner takes measures to prevent it from becoming**

1 available to persons other than those selected by the owner to have access for  
2 limited purposes.

3 (23) "Traffic" shall mean:

4 (a) To sell, transfer, distribute, dispense, or otherwise dispose of  
5 property.

6 (b) To buy, receive, possess, obtain control of, or use property with the  
7 intent to sell, transfer, distribute, dispense, or otherwise dispose of such  
8 property.

9 §1828.2. Louisiana Higher Education Research Security Council; creation;  
10 powers

11 A. The Louisiana Higher Education Research Security Council is hereby  
12 established for the purpose of promoting secure academic research at  
13 institutions of higher education while mitigating the risk of foreign espionage  
14 and interference.

15 B. The council shall be composed of the following members:

16 (1) The lieutenant governor or his designee.

17 (2) The attorney general or his designee.

18 (3) A representative from the Board of Regents.

19 (4) One research security officer appointed by the Board of Supervisors  
20 for the University of Louisiana System.

21 (5) One research security officer appointed by the Board of Supervisors  
22 of Louisiana State University and Agricultural and Mechanical College.

23 (6) One research security officer appointed by the Board of Supervisors  
24 of Southern University and Agricultural and Mechanical College.

25 (7) One research security officer appointed by the Board of Supervisors  
26 of Community and Technical Colleges.

27 (8) One research security officer appointed by the Board of Directors of  
28 the Louisiana Association of Independent Colleges and Universities.

29 (9) One additional research security officer appointed by each governing

1 board of a university that oversees one or more medical schools.

2 C. The council member appointed by the Board of Regents shall serve  
3 as the initial presiding officer of the council.

4 D. The council shall meet at least quarterly, but may meet more often  
5 upon the call of the presiding officer, who shall call a meeting upon the request  
6 of a majority of the members. Members of the council shall serve at the pleasure  
7 of the appointing authority and vacancies shall be filled in the manner of the  
8 original appointment.

9 E. The council shall:

10 (1) Develop or adopt a model research security policy for Louisiana  
11 institutions of higher education to improve research security.

12 (2) Develop, offer or otherwise provide an annual training program for  
13 institutions of higher education's research security officers that includes  
14 background and academic history checks of researchers, research security and  
15 integrity tools, and software that must be used to prevent the loss of intellectual  
16 capital.

17 (3) Vet and review any gift, contract, or academic or research  
18 partnership to an institution of higher education from a foreign adversary  
19 source.

20 (4) Subject to appropriation, engage an intelligence firm that specializes  
21 in identifying national security threats from foreign adversary sources.

22 (5) Not later than December first of each even-numbered year, the  
23 council shall prepare and submit to the governor, the attorney general's office,  
24 and the Senate and House committees on education a report on the status of  
25 research security at institutions of higher education and any associated  
26 recommendations.

27 §1828.3. Approval requirements for gifts, contracts, research partnerships, and  
28 academic partnerships from foreign adversaries

29 A. Any institution of higher education that is offered directly or

1 indirectly any gift, contract, or academic or research partnership with any value  
2 from a foreign source or foreign adversary nation shall reject such proposed  
3 gift, contract, or academic or research partnership unless the following  
4 conditions are met by the institution of higher education:

5 (1) Within thirty days of receiving the proposed gift, contract, or  
6 academic or research partnership, the institution of higher education must  
7 request and receive an assessment from a federal law enforcement agency on  
8 potential national security risks of accepting the gift or contract, or entering  
9 into the academic or research partnership. If the federal agency provides  
10 information suggesting that such gift, contract, or partnership promotes an  
11 agenda detrimental to the safety or security of Louisiana, the United States, or  
12 its residents, the institution of higher education may not enter into the  
13 agreement.

14 (2) Within thirty days of receiving the proposed gift, contract, academic  
15 or research partnership, the institution of higher education must request and  
16 receive an assessment from the Louisiana Higher Education Research Security  
17 Council on potential national security risks of accepting the gift or contract, or  
18 entering into the academic or research partnership. The council shall have veto  
19 authority over such academic and research partnerships with a simple majority  
20 vote of all council members.

21 (3)The Board of Regents shall maintain a public web portal disclosing  
22 proposed gifts, contracts, or academic or research partnerships from foreign  
23 adversary sources described in this Section, along with the final decision on  
24 whether to allow the relevant institution of higher education to accept the gift.

25 (4) For purposes of this Section, a gift, contract, or academic or research  
26 partnership received from a foreign source through an intermediary shall be  
27 considered an indirect gift, contract, or partnership with the institution of  
28 higher education, and is subject to the approval process described in this  
29 Section.

1           **(5) Upon the request of the governor, the president of the Senate, or the**  
2           **speaker of the House of Representatives, the legislative auditor, as applicable,**  
3           **must inspect or audit a gift, contract, or academic or research partnership.**

4           **B. An institution of higher education or employee thereof shall not enter**  
5           **into any contract, academic partnership, or research partnership with a foreign**  
6           **adversary source for any project that is funded in whole or in part by the**  
7           **United States Department of War, United States Department of Energy, or**  
8           **United States Department of Health and Human Services.**

9           **C. An institution of higher education or employee thereof shall not enter**  
10           **into any contract, academic partnership, or research partnership with a foreign**  
11           **adversary source with known links to the foreign adversary's military or**  
12           **intelligence apparatus.**

13           **D. All institutions of higher education shall include in their employment**  
14           **manuals a prohibition on their faculty or employees taking part in any foreign**  
15           **recruitment program by a foreign adversary nation.**

16           **§1828.4. Enforcement; penalties; rewards**

17           **A. Upon receiving a referral from an officer of an institution of higher**  
18           **education or any sworn complaint based upon substantive information and**  
19           **reasonable belief, the attorney general must investigate an allegation of**  
20           **violation of this Part.**

21           **B. Any agent or compliance officer authorized by an institution of higher**  
22           **education may request records relevant to any reasonable suspicion of a**  
23           **violation of this Part. An entity must provide the required records within ten**  
24           **days after such request or later agreed to by the entity investigating the**  
25           **institution of higher education.**

26           **C. Failure to make a disclosure required under this Part or failure to**  
27           **provide records requested under Subsection B of this Section constitutes a civil**  
28           **violation punishable upon a final administrative finding with a fine of ten**  
29           **thousand dollars for a first violation and twenty thousand dollars for any**

1        subsequent violation.

2                D. In addition to any fine assessed under Subsection C of this Section, a  
3        final order determining a violation by an institution of higher education must  
4        include a determination of the identity of the officer responsible for acceptance  
5        of the undisclosed gifts or contracts, or entrance into the undisclosed academic  
6        or research partnership. Such order must also include a referral to the governor  
7        or other officer authorized to suspend or remove from public office the officer  
8        responsible for acceptance of the undisclosed gifts or contracts or entrance into  
9        the undisclosed academic or research partnership. A copy of such referral must  
10       be provided to the president of the Senate and the speaker of the House of  
11       Representatives for oversight of such suspension and removal authority.

12               E. An institution of higher education that knowingly, willfully, or  
13       negligently fails to disclose the information required by this Section shall be  
14       subject to a civil penalty of one hundred and five percent of the amount of the  
15       undisclosed gifts or contracts, payable only from nonstate funds of the  
16       institution of higher education or the affiliate organization that received such  
17       gifts or contracts. The recovered funds must be deposited into the State General  
18       Fund.

19               F. A whistleblower who reports an undisclosed foreign gift or contract  
20       may also report such undisclosed gift or contract to the attorney general's office  
21       and retain whistleblower protection under R.S. 23:967. Such whistle-blower  
22       shall be entitled to receive a reward in the amount of twenty-five percent of any  
23       penalty recovered. The attorney general is authorized to incur expenditures to  
24       provide such reward from the penalty recovery. The reward may be paid  
25       through an intermediate attorney or trustee designated by the whistleblower.

26               G. The Board of Regents may adopt rules and regulations, as applicable,  
27       to implement this Section.

28        §1828.5. International cultural agreements and student associations

29               A. An institution of higher education may not participate in any cultural

1 exchange agreement with a foreign source from a foreign adversary, or any  
2 entity controlled by foreign adversaries unless it addresses an overwhelmingly  
3 under-addressed state or national need and it avoids:

4 (1) Constraining the freedom of contract of such public entity.

5 (2) Allowing the curricula or values of a program in the state to be  
6 directed, controlled, or influenced by the foreign adversaries.

7 (3) Promoting an agenda detrimental to the safety or security of  
8 Louisiana, its residents, or the United States.

9 B. Prior to the execution of any cultural exchange agreement with a  
10 foreign source from a foreign adversary, the substance of the agreement shall  
11 be shared with a federal law enforcement agency. If the federal agency provides  
12 information suggesting that such an agreement promotes an agenda detrimental  
13 to the safety or security of Louisiana, the United States, or its residents, the  
14 institution of higher education may not enter into the agreement.

15 C. Prior to the execution of any cultural exchange agreement with a  
16 foreign source from a foreign adversary, the substance of the agreement shall  
17 be shared with the Louisiana Higher Education Research Security Council. If  
18 the council provides information suggesting that such an agreement promotes  
19 an agenda detrimental to the safety or security of Louisiana, the United States,  
20 or its residents, the institution of higher education may not enter into the  
21 agreement.

22 D. Each institution of higher education shall submit the information  
23 required in this Section to the Board of Regents by July first of each year.

24 E. By December first of each year, the Board of Regents shall submit a  
25 report to the governor, the president of the Senate, and the speaker of the House  
26 of Representatives relating to partnerships and agreements of institutions of  
27 higher education made with educational institutions or other institutions based  
28 in foreign adversaries. At a minimum, the report must include the following  
29 information for the previous fiscal year:

1           **(1) Data reflecting any grant program, agreement, partnership, or**  
2           **contract between an institution of higher education and any college, university,**  
3           **or entity that is based in or controlled by a foreign adversary.**

4           **(2) Data reflecting any office, campus, or physical location used or**  
5           **maintained by an institution of higher education in a foreign adversary.**

6           **(3) The date on which any such grant program, agreement, partnership,**  
7           **or contract reported pursuant to this Section is expected to terminate.**

8           **F. No student or scholar association affiliated with any institution of**  
9           **higher education may accept any gift or grant from a foreign source of a foreign**  
10           **adversary or enter into any contract or agreement with a foreign source of a**  
11           **foreign adversary, or be directed or controlled by the government of a foreign**  
12           **adversary or any agent thereof.**

13           **(1) Any violation of this Section shall result in the institution of higher**  
14           **education ending any affiliation with the student or scholar association.**

15           **(2) For purposes of this Subsection, member dues or fees shall not be**  
16           **considered a gift or grant from a foreign source of a foreign adversary.**

17           **G. The Board of Regents shall adopt rules and regulations, respectively,**  
18           **to administer this Section.**

19           **§1828.6. Foreign travel and gifts; prohibition**

20           **A. An employee, researcher, or volunteer of an institution of higher**  
21           **education of this state may not:**

22           **(1) Accept transportation or lodging in a country that is a foreign**  
23           **adversary and that is paid for by the foreign adversary or a foreign adversary**  
24           **source because of the employee's or volunteer's position with the state or**  
25           **political subdivision.**

26           **(2) Accept a gift or item of value from a person representing a foreign**  
27           **adversary for any purpose, including to pay for travel expenses or as**  
28           **reimbursement for the costs of attending a conference or other event in a**  
29           **country that is a foreign adversary or that is hosted on behalf of a foreign**

1 adversary or a principal of a foreign adversary.

2 B. An employee or volunteer of an institution of higher education of this  
3 state shall report to the Louisiana Board of Ethics, in the form and manner the  
4 board requires, each interaction, communication, or meeting the employee,  
5 researcher, or volunteer has with a person acting on behalf of a foreign  
6 adversary not later than thirty days after the date of the interaction,  
7 communication, or meeting. The board shall make available a report under this  
8 Subsection to the attorney general and the Louisiana Department of Public  
9 Safety on request.

10 C. The Louisiana Board of Ethics shall define a de minimus value for  
11 meals that a state employee or volunteer may accept, and the Louisiana Higher  
12 Education Research Council shall define a de minimus value for meals that an  
13 academic or researcher at an institution of higher education is allowed to  
14 accept.

15 §1828.7. Research partnerships

16 A. An institution of higher education shall only enter into a new or renew  
17 an existing research partnership with an academic or research institution,  
18 business, or nonprofit located in a foreign adversary if the institution of higher  
19 education maintains sufficient structural safeguards to protect the state  
20 institution's intellectual property, the security of the state of Louisiana, and the  
21 national security interests of the United States. The Louisiana Higher Education  
22 Research Security Council shall only approve an institution of higher  
23 education's partnership if the council determines the partnership meets the  
24 safeguard requirements prescribed under this Section. The safeguard  
25 requirements shall include, but not limited to, the following:

26 (1) Compliance with all federal requirements, including the  
27 requirements of federal research sponsors and federal export control agencies,  
28 including regulations regarding international traffic in arms and export  
29 administration regulations, and economic and trade sanctions administered by

1 the federal office of foreign assets control.

2 (2) Annual formal institution level programs for faculty on conflicts of  
3 interest and conflicts of commitment.

4 (3) An overwhelming state interest to enter into the research or academic  
5 partnership.

6 (4) There are no alternative institutions to engage with for a similar  
7 research or academic partnership.

8 (5) A formalized foreign visitor process and uniform visiting scholar  
9 agreement.

10 B. The Louisiana Higher Education Research Security Council shall  
11 have full discretion to reject or terminate any research partnership between an  
12 institution of higher education and an academic or research institution located  
13 in a foreign adversary at any time and for any purpose.

14 C. The Board of Regents, in consultation with the office of the governor,  
15 shall create a research and cultural exchange policy which shall prioritize  
16 research partnerships and academic exchange agreements with America's  
17 military treaty allies, Israel and the Republic of China (Taiwan).

18 §1828.8. Foreign educational software

19 A. The Board of Regents shall conduct a thorough review of all  
20 educational software used by institutions of higher education that may be linked  
21 to foreign adversaries. The Board of Regents shall develop a plan to eliminate  
22 the usage of educational software from foreign adversary countries, as defined  
23 in 15 CFR 791.4, in each of the respective systems.

24 B. The Board of Regents shall promulgate rules and regulations  
25 prohibiting the future contracting with educational software-providing entities  
26 domiciled in, or owned by companies or other entities domiciled in, foreign  
27 adversary countries as defined in 15 CFR 791.4, in each of the respective  
28 systems.

29 §1828.9. Political parties and members

1           A. The managing board of each institution of higher education in this  
2 state shall adopt the following policies:

3           (1) No branch, cell, subsidiary, or affiliate organization of the Chinese  
4 Communist Party shall be allowed to operate on or use any property of any  
5 institution of higher education in this state.

6           (2) No members of the Chinese Communist Party, People's Liberation  
7 Army, any Chinese intelligence agency, or any affiliate or subsidiary thereof  
8 shall enroll in any Louisiana institution of higher education nor receive  
9 employment or research opportunities in any Louisiana institution of higher  
10 education.

11           B. A student, academic, or researcher, who matriculates from the  
12 People's Republic of China shall sign an affidavit to certify that the student is  
13 not a member of the Chinese Communist Party, People's Liberation Army, any  
14 Chinese intelligence agency, or any affiliate or subsidiary thereof.

15 §1828.10. Theft of trade secrets

16           Any theft of trade secrets or trafficking thereof from a Louisiana  
17 institution of higher education on behalf of a foreign source of a foreign  
18 adversary nation shall be charged as a crime under R.S. 14:67 with a penalty  
19 one classification level higher than theft of equal value covered under R.S.  
20 14:67. For theft of trade secrets of twenty-five thousand dollars or more, the  
21 penalty shall be imprisonment at hard labor for not less than five years and not  
22 more than twenty-five years.

23 §1828.11. Severability

24           If any provision of this Part, or the application of any provision to any  
25 person or circumstance, is held to be invalid, the remainder of this Part and the  
26 application of its provisions to any other person or circumstance shall not be  
27 affected thereby.

28           Section 2. This Act shall become effective on January 1, 2027. If vetoed by the  
29 governor and subsequently approved by the legislature, this Act shall become effective on

1 the day following such approval by the legislature or January 1, 2027, which ever is later.

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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)]

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DIGEST

SB 399 Original

2026 Regular Session

Bass

Proposed law (R.S. 17:1828) will be referred to and may be cited as the "Research and Education Protection Act of 2026".

Proposed law (R.S. 17:1828.1) provides for the following definitions: "Academic partnership"; "Affiliate organization"; "Agreement"; "Contract"; "Council"; "Director-support organization"; "Foreign adversary"; "Foreign agent"; "Foreign government"; "Foreign instrumentality"; "Foreign source"; "Gift"; "Grant"; "Institution of higher education"; "Interest"; "Obtain or use"; "Partnership"; "Person"; "Pledge"; "Political party"; "Research partnership"; "Trade secret"; and "Traffic".

Proposed law (R.S. 17:1828.2) creates the Louisiana Higher Education Research Security Council to promote secure academic research at institutions of higher education while mitigating the risk of foreign espionage and interference; and be composed of the following members:

- (1) The lieutenant governor or his designee.
- (2) The attorney general or his designee.
- (3) A representative from the Board of Regents.
- (4) One research security officer appointed by the Board of Supervisors for the University of Louisiana System.
- (5) One research security officer appointed by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.
- (6) One research security officer appointed by the Board of Supervisors of Southern University and Agricultural and Mechanical College.
- (7) One research security officer appointed by the Board of Supervisors of Community and Technical Colleges.
- (8) One research security officer appointed by the Board of Directors of the Louisiana Association of Independent Colleges and Universities.
- (9) One additional research security officer appointed by each governing board of a university that oversees one or more medical schools.

Proposed law provides that the council shall do the following:

- (1) Develop or adopt a model research security policy for Louisiana institutions of higher education to improve research security.
- (2) Develop, offer or otherwise provide an annual training program for institution of higher education's research security officers that includes background and academic history checks of researchers, research security and integrity tools, and software that

must be used to prevent the loss of intellectual capital.

- (3) Vet and review any gift, contract or academic or research partnership to an institution of higher education from a foreign adversary source.
- (4) Subject to appropriation, engage an intelligence firm that specializes in identifying national security threats from foreign adversary sources.
- (5) Not later than December first of each even-numbered year, the council shall prepare and submit to the governor, the attorney general's office, and the Senate and House committees on education a report on the status of research security at institutions of higher education and any associated recommendations.

Proposed law (R.S. 17:1828.3) provides that any institution of higher education that is offered any gift, contract, or academic or research partnership from a foreign source or foreign adversary nation must reject the proposed gift, contract, or partnership unless certain conditions are met.

Proposed law requires within 30 days of receiving the gift, contract, or partnership, the institution must request and receive an assessment from a federal law enforcement agency and the Louisiana Higher Education Research Security Council on potential national security risks. If the federal agency provides information that suggests the gift, contract, or partnership is detrimental to the safety or security of Louisiana, United States, or its residents, the institution cannot enter into the agreement and the council has veto authority of the partnership.

Proposed law requires the Board of Regents to maintain a public web portal that discloses proposed gifts, contracts, or partnerships from foreign adversary sources, along with the final decision on whether to allow the institution to accept the gift.

Proposed law (R.S. 17:1828.4) provides that upon receiving a referral from an officer of an institution or sworn complaint, the attorney general must investigate an allegation of violation; and any agent or compliance officer may request records relevant to the suspicion of a violation; an entity must provide the records within 10 days of request or later if agreed to.

Proposed law provides that failure to make a disclosure or failure to provide requested records will result in a civil violation with a fine of \$10,000 for a first violation and \$20,000 for any subsequent violation. In addition to the fine, a final order of a violation by an institution must include the identity of the officer responsible for acceptance of the undisclosed gifts or contracts.

Proposed law provides that an institution that knowingly, willfully, or negligently fails to disclose information will be subject to a civil penalty of 105% of the amount of the undisclosed gifts or contracts; payable only from nonstate funds of the institution or affiliate organization that received the gift or contract; the recovered funds must be deposited into the State General Fund.

Proposed law (R.S. 17:1828.5) provides that an institution may not participate in any cultural exchange agreement with a foreign source, or any entity controlled by foreign adversaries unless it addresses an overwhelmingly under-addressed state or national need and avoids the following:

- (1) Constraining the freedom of contract of such public entity.
- (2) Allowing the curricula or values of a program in the state to be directed, controlled, or influenced by the foreign adversaries.

- (3) Promoting an agenda detrimental to the safety or security of Louisiana, its residents, or the United States.

Proposed law provides that prior to any execution of a cultural exchange agreement with a foreign source, the agreement must be shared with a federal law enforcement agency and the Louisiana Higher Education Research Security Council. If the federal agency or the council provides information that suggests the agreement is detrimental to the safety or security of Louisiana, United States, or its residents, the institution cannot enter into the agreement.

Proposed law provides that each institution must submit information to the Board of Regents by July first of each year and the Board of Regents must submit a report to the governor, president of the Senate, and the speaker of the House of Representatives relating to partnerships and agreements with foreign adversaries by December first of each year. Proposed law includes required information that must be included in the report from the Board of Regents.

Proposed law (R.S. 17:1828.6) provides that an employee, researcher, or volunteer of an institution of higher education of the state may not accept transportation or lodging in a country that is a foreign adversary or accept a gift or item of value from a person representing a foreign adversary for any purpose, including to pay for travel expenses or as reimbursement for the costs of attending a conference in a country that is a foreign adversary.

Proposed law provides that an employee or volunteer of an institution of higher education of this state must report to the Louisiana Board of Ethics any interaction, communication, or meeting the employee, researcher, or volunteer has with a person acting on behalf of a foreign adversary, not later than 30 days after the date of interaction.

Proposed law provides that the Louisiana Board of Ethics must define a "de minimus value" for meals that a state employee or volunteer can accept and the Louisiana Higher Education Research Council must define a "de minimus value" for meals that an academic or researcher at an institution is allowed to accept.

Proposed law (R.S. 17:1828.7) provides that an institution must only enter into a new or renew an existing research partnership with an institution, business, or nonprofit located in a foreign adversary if the institution maintains sufficient structural safeguards to protect the institution's intellectual property, the security of Louisiana, and the national security interests. The Louisiana Higher Education Research Security Council must only approve an institution's partnership if the council determines it to meet the safeguard requirements that follow:

- (1) Compliance with all federal requirements, including the requirements of federal research sponsors and federal export control agencies, including regulations regarding international traffic in arms and export administration regulations, and economic and trade sanctions administered by the federal office of foreign assets control.
- (2) Annual formal institution level programs for faculty on conflicts of interest and conflicts of commitment.
- (3) An overwhelming state interest to enter into the research or academic partnership.
- (4) There are no alternative institutions to engage with for a similar research or academic partnership.
- (5) A formalized foreign visitor process and uniform visiting scholar agreement.

Proposed law provides that the council will have full discretion to reject or terminate any

research partnership between an institution and an academic or research institution located in a foreign adversary at any time and for any purpose.

Proposed law (R.S. 17:1828.8) requires the Board of Regents to conduct a review of educational software used by institutions of higher education that may be linked to foreign adversaries. The board must develop a plan to eliminate the usage of educational software from foreign adversary countries in each of the respective systems. The board must also promulgate rules and regulations that prohibit future contracting with educational software-providing entities domiciled in, or owned by companies or other entities domiciled in, foreign adversary countries.

Proposed law (R.S. 17:1828.9) provides that the managing board of each institution of higher education must adopt the following policies:

- (1) No branch, cell, subsidiary, or affiliate organization of the Chinese Communist Party shall be allowed to operate on or use any property of any institution of higher education in this state.
- (2) No members of the Chinese Communist Party, People's Liberation Army, any Chinese intelligence agency, or any affiliate or subsidiary thereof shall enroll in any Louisiana institution of higher education nor receive employment or research opportunities in any Louisiana institution of higher education.

Proposed law provides that a student, academic or researcher, who matriculates from the People's Republic of China must sign an affidavit to certify that the student is not a member of the Chinese Communist Part, People's Liberation Army, and Chinese intelligence agency, or any affiliate or subsidiary thereof.

Proposed law (R.S. 17:1828.10) provides that any theft of a trade secret or trafficking there of from an institution on behalf of a foreign source will be charged as a crime under R.S. 14:67 with a penalty one classification level higher than theft of equal value covered under R.S. 14:67. For theft of trade secrets of \$25,000 or more, the penalty will be imprisonment at hard labor for not less than 5 years and not more than 25 years.

Proposed law (R.S. 17:1828.11) provides that if any provision or application of any provision is held to be invalid, the remainder of proposed law and the application of its provisions will not be affected.

Effective on January 1, 2027.

(Adds R.S. 17:1828-1828.11)