
DIGEST

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HB 1184 Original

2026 Regular Session

Carlson

Abstract: Prohibits state and local entities from entering into public contracts to obtain or utilize artificial intelligence ("AI") technology, software, or products from vendors headquartered in or controlled by foreign countries of concern.

ELEMENTARY AND SECONDARY INSTRUCTIONAL MATERIALS

Present law (R.S. 17:351.1) requires the State Board of Elementary and Secondary Education (BESE) to establish a process for the review, adoption, procurement, and distribution of free textbooks and other instructional materials, which are supplied without charge to children at the elementary and secondary education levels. Such purchases are exempt from the La. Procurement Code (R.S. 39:1572). Present law further authorizes each public school and school district to purchase other instructional materials.

Proposed law restricts the authority of a public entity purchasing textbooks and other instructional materials to enter into or extend a contract on or after July 1, 2027, that provides AI technology, software, or products or includes products or services utilizing AI technology, software, or products unless the contractor provides an affidavit signed by an authorized representative attesting that the contractor meets all of the following criteria:

- (1) The contractor is not owned by a foreign country of concern.
- (2) No foreign country of concern has a controlling interest in the contractor.
- (3) The contractor is not organized under the laws of a foreign country of concern.
- (4) The contractor does not have its principal place of business in a foreign country of concern.

Proposed law defines "foreign country of concern" as the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Republic of Cuba and includes any agency of one of these countries and any entity under the control of one of these countries.

HIGHER EDUCATION PROCUREMENT

Present law (R.S. 3195.5) establishes the higher education procurement code as established by La. State University and Agricultural and Mechanical College (LSU) and approved by the division of

administration. Proposed law (R.S. 17:1421 and 3393) place the same restriction on procurement of AI technology, software, or products or supplies and services utilizing AI technology, software, or products pursuant under the higher education procurement code as placed on elementary and secondary instructional materials.

PUBLIC BID LAW

Present law (Title 38) establishes the Public Bid Law to govern generally the letting of contracts for:

- (1) The erection, construction, alteration, improvement, or repair of any public facility or land owned, used, or leased by a public entity.
- (2) Contracts for goods or services by political subdivisions.

Proposed law places the same restriction on procurement of AI technology, software, or products or supplies and services utilizing AI technology, software, or products as placed on elementary and secondary instructional materials.

STATE INFORMATION TECHNOLOGY (IT) PROCUREMENT

Present law (Title 39) establishes special procurement mechanisms for all state agencies in the executive branch, except those of a statewide elected official, for the purchase, lease, and rental of IT equipment, related services, and software.

Proposed law requires application of La. Procurement Code restrictions on certain AI contracts to any procurement made pursuant to present law for IT equipment, related services, and software.

LA. PROCUREMENT CODE

Present law (Title 39) establishes the La. Procurement Code to govern buying, purchasing, renting, leasing, or otherwise obtaining supplies, services, or major repairs by any "governmental body" (an entity or official of the executive branch of state government) and any political subdivision that elects to utilize the La. Procurement Code.

Proposed law places the same restriction on procurement of AI technology, software, or products or supplies and services utilizing AI technology, software, or products as placed on elementary and secondary instructional materials.

LEGISLATIVE PROCUREMENT

Present law (Title 24) provides laws for the general operation and management of the entities that comprise the legislative branch of government (House, Senate, Legislative Auditor, Legislative Fiscal Office, La. Law Institute, etc.).

Proposed law places the same restriction on the legislature regarding procurement of AI technology,

software, or products or supplies and services utilizing AI technology, software, or products as proposed law places on the executive branch and local governments.

(Amends R.S. 39:199.1; Adds R.S. 17:351.1(F), 1421, and 3393(A)(2)(d)(iii), R.S. 24:38.1, R.S. 38:2216.2, and R.S. 39:200.1 and 1602.3)