

SENATE BILL NO. 399

BY SENATORS BASS, HODGES AND MIGUEZ AND REPRESENTATIVES BACALA,
BAYHAM, BERAULT, BOYER, CARVER, CHENEVERT,
DICKERSON, EGAN, HORTON, VILLIO, WYBLE AND YOUNG

1 AN ACT

2 To enact Part III-D of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 17:1828 through 1828.12, relative to institutions of higher
4 education; to create the Louisiana Higher Education Research Security Council; to
5 provide for definitions; to provide relative to council responsibilities; to provide for
6 requirements for gifts, contracts, research partnerships, and academic partnerships
7 from foreign adversaries; to provide for penalties; to provide relative to international
8 cultural agreements; to provide relative to travel and gift prohibitions; to provide
9 relative to research partnerships; to provide relative to educational software linked
10 to foreign adversaries; to provide relative to political parties and members; to
11 provide relative to the theft of trade secrets; to provide for severability; to provide
12 for an effective date; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. Part III-D of Chapter 5 of Title 17 of the Louisiana Revised Statutes of
15 1950, comprised of R.S. 17:1828 through 1828.12, is hereby enacted to read as follows:

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

17 **§1828. Short title; purpose**

18 **A. This Part shall be known and cited as the "Research and Education**
19 **Protection Act of 2026".**

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

22 **§1828.1. Definitions**

23 **As used in this Part, the following terms have the following meanings**
24 **unless the context clearly indicates otherwise:**

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

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

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

9 **(4) "Contract" shall mean any agreement for the acquisition by**
10 **purchase, lease, or barter of property or services, for the direct benefit or use**
11 **of either of the parties.**

12 **(5) "Council" shall mean the Louisiana Higher Education Research**
13 **Security Council established under this Part.**

14 **(6) "Direct-support organization" shall mean an organization which is**
15 **organized and operated to receive, hold, invest, and administer property and to**
16 **make expenditures to or for the benefit of a state college, university, or other**
17 **educational institution or for the benefit of a research and development park or**
18 **research and development authority affiliated with a state college, university,**
19 **or other educational institution.**

20 **(7) "Foreign adversary" shall mean any foreign government or foreign**
21 **nongovernment person determined by the United States Secretary of Commerce**
22 **to have engaged in a long term pattern or serious instances of conduct**
23 **significantly adverse to the national security of the United States or security and**
24 **safety of United States persons as listed in 15 CFR 791.4.**

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

27 **(9) "Foreign government" shall mean the government of any country,**
28 **nation, or group of nations, or any province or other political subdivision of any**
29 **country or nation, other than the government of the United States, including**
30 **any agent of such foreign government.**

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

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

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

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

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

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

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

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

17 (12) "Gift" shall mean any gift, grant, endowment, award, or donation
18 of money or thing of economic value, or any combination thereof, including a
19 conditional or unconditional pledge of such gift, endowment, award, or
20 donation.

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

23 (14) "Institution of higher education" shall mean a state college or
24 university or an independent nonprofit college or university that is located in
25 and chartered by the state and grants baccalaureate or higher degrees, or any
26 other institution that has a physical presence in the state and is required to
27 report foreign gifts or contracts pursuant to 20 U.S.C. 1011f, or an affiliate
28 organization to a covered institution.

29 (15) "Interest" in an entity shall mean any direct or indirect investment
30 in or loan to the entity valued at five percent or more of the entity's net worth,

1 or any form of direct or indirect control exerting similar or greater influence
2 on the governance of the entity.

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

4 (a) Taking or exercising control over property.

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

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

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

12 (17) "Partnership" shall mean a faculty or student exchange program,
13 a study abroad program, a matriculation program, a recruiting program, or a
14 dual degree program.

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

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

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

25 (21) "Research partnership" shall mean a collaborative agreement
26 between a Louisiana institution of higher education and another institution of
27 higher education, research institute, government agency, nonprofit
28 organization, or private sector company.

29 (22) "Trade secret" shall mean the whole or any portion or phase of any
30 formula, pattern, device, combination of devices, or compilation of information

1 which is for use, or is used, in the operation of a business and which provides
 2 the business an advantage, or an opportunity to obtain an advantage, over those
 3 who do not know or use it. The term shall include any scientific, technical, or
 4 commercial information, including financial information. It also includes any
 5 design, process, procedure, list of suppliers, list of customers, business code, or
 6 improvement thereof, whether tangible or intangible, and regardless of how it
 7 is stored, compiled, or memorialized physically, electronically, graphically,
 8 photographically, or in writing. Irrespective of novelty, invention, patentability,
 9 the state of the prior art, and the level of skill in the business, art, or field to
 10 which the subject matter pertains; a trade secret is considered to be:

11 (a) Secret.

12 (b) Of value.

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

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

18 (e) When the owner takes measures to prevent it from becoming
 19 available to persons other than those selected by the owner to have access for
 20 limited purposes.

21 (23) "Traffic" shall mean:

22 (a) To sell, transfer, distribute, dispense, or otherwise dispose of
 23 property.

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

27 (24) "United Front Political Influence System" shall mean the Chinese
 28 Communist Party's extensive network of organizations operating in parallel to
 29 the People's Republic of China's foreign ministry and intelligence services and
 30 seeking to influence universities, think tanks, civic groups, other prominent

1 individuals and institutions, and public opinion broadly. It includes but is not
2 limited to the Chinese People's Political Consultative Conference, the Overseas
3 Chinese Affairs Office, the United Front Work Department, the Chinese
4 Overseas Exchange Association, the China Overseas Friendship Association,
5 and the All-China Federation of Returned Overseas Chinese, and any
6 subsidiary or affiliate organization thereof.

7 §1828.2. Louisiana Higher Education Research Security Council; creation;
8 powers

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

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

14 (1) The lieutenant governor, or his designee.

15 (2) The attorney general, or his designee.

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

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

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

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

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

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

27 (9) One additional research security officer appointed by each governing
28 board of a university that oversees one or more medical schools.

29 (10) Three faculty members with research experience, one designated by
30 the chief academic officer of the Louisiana State University System, one

1 designated by the chief academic officer of the University of Louisiana System,
2 and one designated by the chief academic officer of the Southern University
3 System.

4 (11) The chairman of the House Select Committee on Homeland
5 Security, or his designee.

6 (12) The chairman of the Senate Select Committee on Homeland
7 Security, or his designee.

8 (13) The superintendent of the Louisiana State Police, or his designee.

9 (14) The chief information officer of the office of technology services, or
10 his designee.

11 (15) The lead special agent of the Federal Bureau of Investigation, New
12 Orleans Field Office, or his designee, shall be invited as a nonvoting ex officio
13 member.

14 (16) One designated research security officer or senior security officer
15 or senior research administrator from each institution that engages in
16 sponsored research that is a member of the Louisiana Association of
17 Independent Colleges and Universities.

18 C. The council member appointed by the Board of Regents shall serve
19 as the chairman of the council. The Board of Regents shall provide staff to the
20 council.

21 D. The council shall meet at least quarterly, but may meet more often
22 upon the call of the presiding officer, who shall call a meeting upon the request
23 of a majority of the members. Members of the council shall serve at the pleasure
24 of the appointing authority and vacancies shall be filled in the manner of the
25 original appointment.

26 E. The council shall:

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

29 (2) Develop, offer or otherwise provide an annual training program for
30 institutions of higher education's research security officers that includes

1 background and academic history checks of researchers, research security and
2 integrity tools, and software that must be used to prevent the loss of intellectual
3 capital.

4 (3) Vet and review any gift, contract, or academic or research
5 partnership to an institution of higher education from a foreign adversary
6 source. The vetting and review shall exclude information about trade secrets
7 and protected information pursuant to nondisclosure or confidentiality
8 agreements.

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

11 (5) Not later than January thirty-first of each even-numbered year, the
12 council shall prepare and submit to the governor, the attorney general's office,
13 and the Senate and House committees on education a report on the status of
14 research security at institutions of higher education and any associated
15 recommendations.

16 §1828.3. Approval requirements for gifts, contracts, research partnerships, and
17 academic partnerships from foreign adversaries

18 A. Any institution of higher education that is offered directly or
19 indirectly any gift, contract, or academic or research partnership with any value
20 from a foreign adversary source shall reject such proposed gift, contract, or
21 academic or research partnership unless the following conditions are met by the
22 institution of higher education:

23 (1) Within thirty days of receiving a proposal for the gift, contract,
24 academic or research partnership, the institution shall request an assessment
25 from federal law enforcement on potential national security risks, and after
26 receiving the assessment, it shall be submitted to the Louisiana Higher
27 Education Research Security Council along with the request for approval of the
28 proposed gift, contract, academic, or research partnership. The council shall
29 have veto authority over such academic and research partnerships with a simple
30 majority vote of all council members.

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

5 (3) For purposes of this Section, a gift, contract, or academic or research
6 partnership received from a foreign adversary source through an intermediary
7 shall be considered an indirect gift, contract, or partnership with the institution
8 of higher education, and is subject to the approval process described in this
9 Section.

10 (4) Upon the request of the governor, the president of the Senate, or the
11 speaker of the House of Representatives, the legislative auditor, as applicable,
12 must inspect or audit a gift, contract, or academic or research partnership.

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

18 C. An institution of higher education or employee thereof shall not enter
19 into any contract, academic partnership, or research partnership with a foreign
20 adversary source with known links to the foreign adversary's military or
21 intelligence apparatus.

22 D. All institutions of higher education shall include in their employment
23 policies a prohibition on their faculty or employees taking part in any foreign
24 recruitment program by a foreign adversary nation.

25 §1828.4. Enforcement; penalties; rewards

26 A. Upon receiving a referral from an officer of an institution of higher
27 education or any sworn complaint based upon substantive information and
28 reasonable belief, the attorney general must investigate an allegation of a
29 violation of this Part.

30 B. Any agent or compliance officer authorized by an institution of higher

1 education may request records relevant to any reasonable suspicion of a
2 violation of this Part. An institution of higher education shall provide the
3 required records within ten days after such request or later as agreed to by the
4 entity investigating the institution of higher education.

5 C. Failure to make a disclosure required under this Part or failure to
6 provide records requested under Subsection B of this Section constitutes a civil
7 violation punishable upon a final administrative finding.

8 D. A final order determining a violation by an institution of higher
9 education must include a determination of the identity of the officer responsible
10 for acceptance of the undisclosed gifts or contracts, or entrance into the
11 undisclosed academic or research partnership. Such order shall also include a
12 referral to the system president or other officer authorized to suspend or
13 remove from public office the officer responsible for acceptance of the
14 undisclosed gifts or contracts or entrance into the undisclosed academic or
15 research partnership. A copy of such referral shall be provided to the president
16 of the Senate, the speaker of the House of Representatives, the governor, and
17 the Louisiana Higher Education Research Security Council for oversight of
18 such suspension and removal authority.

19 E. 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 whistleblower shall
22 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 F. The council may adopt policies, as applicable, to implement this
27 Section. Institutions of higher education shall be in compliance with such
28 policies.

29 §1828.5. International cultural exchange agreements and student associations

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

30 (1) Data reflecting any grant program, agreement, partnership, or

1 contract between an institution of higher education and any college, university,
2 or entity that is based in or controlled by a foreign adversary.

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

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

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

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

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

16 G. The governing board of each institution of higher education shall
17 adopt rules and regulations, respectively, to administer this Section in
18 consultation with the council and a third-party advisor, including but not
19 limited to an intelligence firm.

20 §1828.6. Foreign travel and gifts; prohibition

21 A. Unless requested by a federal agency, the governor, the president of
22 the Senate, or the speaker of the House of Representatives, an employee,
23 researcher, or volunteer of an institution of higher education of this state may
24 not:

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

29 (2) Accept a gift or item of value from a person representing a foreign
30 adversary for any purpose, including to pay for travel expenses or as

1 reimbursement for the costs of attending a conference or other event in a
2 country that is a foreign adversary or that is hosted on behalf of a foreign
3 adversary or a principal of a foreign adversary.

4 B. An employee or volunteer of an institution of higher education of this
5 state shall report to the Louisiana Higher Education Research Security Council,
6 in the form and manner the council requires, each interaction, communication,
7 or meeting the employee, researcher, or volunteer has with a person acting on
8 behalf of a foreign adversary not later than thirty days after the date of the
9 interaction, communication, or meeting. The legislative auditor shall make
10 available a report under this Subsection to the attorney general and the
11 Department of Public Safety and Corrections on request.

12 §1828.7. Research partnerships

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

23 (1) Compliance with all federal requirements, including the
24 requirements of federal research sponsors and federal export control agencies,
25 including regulations regarding international traffic in arms and export
26 administration regulations, and economic and trade sanctions administered by
27 the office of foreign assets control of the United States Department of the
28 Treasury.

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

1 **(3) An overwhelming state interest to enter into the research or academic**
2 **partnership.**

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

5 **(5) A formalized foreign visitor process and uniform visiting scholar**
6 **agreement.**

7 **B. The Louisiana Higher Education Research Security Council shall**
8 **have full discretion to reject or terminate any research partnership between an**
9 **institution of higher education and an academic or research institution located**
10 **in a foreign adversary. However, prior to denying or terminating any**
11 **partnership, the council shall provide written notice, specific findings, an**
12 **opportunity for the institution to respond, and an opportunity for**
13 **administrative appeal.**

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

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

1 systems.

2 C. This Section shall apply only to contracts entered into or renewed
3 after January 1, 2027.

4 §1828.9. Protection of higher education from foreign adversary influence

5 A. The management board for each public institution of higher education
6 in this state shall adopt and implement policies consistent with this Section to
7 safeguard institutional integrity, research security, and compliance with
8 applicable federal law.

9 B.(1) No Confucious Institute, or any program, institute, center,
10 association, or other entity that is directly established, funded, substantially
11 directed, or controlled by any of the following entities shall be permitted to
12 operate on, conduct activities on, or use any property owned or controlled by
13 a public postsecondary education institution in this state:

14 (a) The government of the People's Republic of China.

15 (b) The Chinese Communist Party.

16 (c) The People's Liberation Army.

17 (d) Any intelligence agency of the People's Republic of China.

18 (e) Any subordinate or affiliated organization of the organizations
19 provided for in Subparagraphs (a) through (d) of this Paragraph, including the
20 United Front Political Influence System and any of its subsidiaries and affiliated
21 organizations.

22 (2) For purposes of this Section, entities which shall be considered
23 "substantially directed or controlled" include but are not limited to the
24 following:

25 (a) Entities appearing on the United States Department of Commerce
26 Entity List as provided in 15 CFR 744.16.

27 (b) Entities appearing on the United States Department of Commerce
28 Military End-User List as provided in 15 CFR 744.21.

29 (c) Entities formally designated by the United States Department of
30 State, Department of Commerce, or Department of Defense, pursuant to

1 publicly issued determinations, as participating in a military-civil fusion
 2 program or malign foreign talent recruitment program.

3 (d) Entities receiving funding from a foreign source of a foreign
 4 adversary country without approval of the Research Security Council.

5 (e) Entities directly affiliated with and reporting to the Chinese
 6 Communist Party's United Front Political Influence System.

7 C.(1) Each applicant for enrollment, employment, or research funding
 8 at a public postsecondary education institution shall disclose, under penalty of
 9 perjury pursuant to Subsection E of this Section, either of the following:

10 (a) Current or former participation in a malign foreign talent
 11 recruitment program identified by the United States government.

12 (b) Current or former affiliation with an entity described in Paragraph
 13 (B)(2) of this Section.

14 (2) Disclosure requirements under this Section shall be applied
 15 uniformly to all applicants and shall not be based solely on citizenship,
 16 nationality, or country of origin.

17 D.(1) An institution shall conduct an individualized, risk-based
 18 assessment of any disclosed information under Subsection C of this Section.

19 (2) Enrollment, employment, or research opportunities shall be denied,
 20 conditioned, or terminated only if the institution determines, based on specific
 21 and articulable facts, that the disclosed information presents a credible risk of
 22 any of the following:

23 (a) Espionage or malign influence operations.

24 (b) Unlawful technology transfer in violation of export control laws.

25 (c) Compromise of research integrity.

26 (d) Violation of federal or state law.

27 (3) Mere past, incidental, or nominal membership in a political
 28 organization, including the Chinese Communist Party, shall not solely constitute
 29 sufficient grounds for denial, conditioning, or termination.

30 E. An applicant who knowingly provides false or materially misleading

1 information in a disclosure required under this Section shall be subject to
2 disciplinary action, up to and including denial or termination of enrollment,
3 employment, or research participation, consistent with institutional policy and
4 applicable law. The applicant will also be liable for committing the crime of
5 perjury.

6 F. All policies adopted pursuant to this Section shall be applied in a
7 manner that comports with all of the following:

8 (1) Does not discriminate on the basis of race, ethnicity, national origin,
9 or political affiliation.

10 (2) Is consistent with the Constitution and laws of the United States and
11 this state.

12 (3) Incorporates due process protections, including written notice of the
13 basis for any adverse action and a meaningful opportunity to respond prior to
14 the denial or termination of enrollment, employment, or research opportunities,
15 except where immediate action is required to comply with federal law or to
16 address an imminent threat to public safety or national security.

17 §1828.10. Theft of trade secrets

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

25 §1828.11. Severability

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

30 §1828.12. Existing policy

1 Any gift, contract, academic partnership, or research partnership in
 2 existence on January 1, 2027, may continue but shall not be renewed except
 3 through the process set forth in this Chapter.

4 Section 2. This Act shall become effective on January 1, 2027. If vetoed by the
 5 governor and subsequently approved by the legislature, this Act shall become effective on
 6 the day following such approval by the legislature or January 1, 2027, whichever is later.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____