

SENATE BILL NO. 251

BY SENATORS PRESSLY, ALLAIN, BARROW, BASS, BOUDREAUX, JACKSON-ANDREWS, SELDERS AND WHEAT

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AN ACT

To enact Part B of Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3081 through 3089, and to designate R.S. 51:3071 through 3080 as Part A of Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, relative to critical infrastructure protection; to provide for critical infrastructure that needs protection from foreign adversaries accessing state critical infrastructure; to provide for assessing the state's vulnerability to sanctioned communications equipment; to prohibit use of adversary cameras and laser sensor technologies in Louisiana transportation systems; to provide enforcement of protected activities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part B of Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:3081 through 3089, is hereby enacted to read as follows:

**PART B. CRITICAL INFRASTRUCTURE PROTECTION**

**§3081. Title**

**This Part shall be known and may be cited as the "Louisiana Critical Infrastructure Protection Act of 2026".**

**§3082. Purpose**

**The purpose of this Part is to protect this state's critical infrastructure by prohibiting foreign adversaries from accessing state critical infrastructure,**

1 by assessing this state's vulnerability to sanctioned communications equipment,  
2 and by prohibiting the use of adversary cameras and laser sensor technologies  
3 in this state's transportation systems.

4 §3083. Rule of construction

5 This Part shall be construed and applied in a manner consistent with  
6 federal law and shall not be interpreted or enforced to prohibit, restrict,  
7 condition, or delay any transaction, agreement, activity, technology, software,  
8 service, or access that has been specifically authorized, approved, licensed,  
9 exempted, or otherwise permitted by the United States government.

10 §3084. Definitions

11 The following definitions apply in this Part unless the context indicates  
12 otherwise:

13 (1) "Company" means a for-profit sole proprietorship, organization,  
14 association, corporation, partnership, joint venture, limited partnership, limited  
15 liability partnership, or limited liability company, including a wholly owned  
16 subsidiary or majority-owned subsidiary of those entities or business  
17 associations that exist to make a profit; or a nonprofit organization.

18 (2) "Critical infrastructure" means systems and assets, whether physical  
19 or virtual, so vital to this state or the United States of America that the  
20 incapacity or destruction of those systems and assets would have a debilitating  
21 impact on state or national security, state or national economic security, state  
22 or national public health, or any combination of those matters. A critical  
23 infrastructure may be publicly or privately owned, and includes but is not  
24 limited to any of the following:

25 (a) Gas and oil production, storage, or delivery systems.

26 (b) Water supply, refinement, storage, or delivery systems.

27 (c) Telecommunications networks.

28 (d) Electrical power delivery systems.

29 (e) Emergency services.

30 (f) Transportation systems and services.

1                    (g) Personal data or otherwise classified information storage systems,  
2                    including cybersecurity.

3                    (3) "Cybersecurity" means the measures taken to protect a computer,  
4                    computer network, computer system, or other technology infrastructure against  
5                    unauthorized use or access.

6                    (4) "Domicile" means either the country in which a company is  
7                    registered or where the company's affairs are primarily completed.

8                    (5) "Foreign adversary" means those countries listed in 15 CFR 791.4.

9                    (6) "Foreign principal" means any of the following entities:

10                   (a) The government or any official of the government of a foreign  
11                   adversary.

12                   (b) A political party or member of a political party or any subdivision of  
13                   a political party of a foreign adversary.

14                   (c) A partnership, association, corporation, organization, or other  
15                   combination of persons organized under the laws of or having its principal place  
16                   of business in a foreign adversary, or a subsidiary of such entity, that is owned  
17                   or controlled, directly or indirectly, by persons or entities of a foreign adversary  
18                   through the ownership of a majority voting interest or the power to direct  
19                   management or policies of the entity. Ownership shall not include passive  
20                   ownership of publicly traded securities that does not confer the power to direct  
21                   or influence management or operations.

22                   (d) Any person who is not an entity described in Subparagraph (c) of this  
23                   Paragraph, who is domiciled in a foreign adversary, and is not a citizen or  
24                   lawful permanent resident of the United States or otherwise permitted by law  
25                   to perform work on critical infrastructure in the United States.

26                   (e) Any person, entity, or collection of persons or entities, described in  
27                   Subparagraphs (a) through (d) of this Paragraph having a controlling interest  
28                   in a partnership, association, corporation, organization, trust, or any other legal  
29                   entity or subsidiary formed for the purpose of owning real property.

30                   (7) "Office" means the Governor's Office of Homeland Security and

1           Emergency Preparedness.

2                   (8) "Operational command authority" means the authority to direct,  
3                   control, or make real-time operational decisions affecting the physical  
4                   functioning, safety, or emergency response of critical infrastructure.

5                   (9) "Significant access" means access that enables the holder to alter  
6                   physical operations, safety systems, or emergency response functions of critical  
7                   infrastructure.

8                   (10) "Software" means any program or routine, or any set of one or  
9                   more programs or routines, which are used or intended for use to cause one or  
10                   more computers or pieces of computer-related peripheral equipment, or any  
11                   combination thereof, to perform a task or set of tasks, as it relates to state  
12                   infrastructure, or any operational software.

13           §3085. Prohibited access to critical infrastructure

14                   A. A company or other entity constructing, repairing, operating, or  
15                   otherwise having significant access to critical infrastructure may not knowingly  
16                   enter into an agreement relating to critical infrastructure in this state with a  
17                   foreign principal from a foreign adversary if the agreement would allow the  
18                   foreign principal from a foreign adversary to directly or remotely exercise  
19                   operational command authority over critical infrastructure in this state.

20                   B. A governmental entity may not knowingly enter into a contract or  
21                   other agreement relating to critical infrastructure in this state with a company  
22                   that is a foreign principal from a foreign adversary if the agreement would  
23                   allow the foreign principal from a foreign adversary to directly or remotely  
24                   exercise operational command authority over critical infrastructure in this  
25                   state.

26                   C. Notwithstanding the provisions in Subsections A and B of this Section,  
27                   an entity or governmental entity may enter into a contract or agreement  
28                   relating to critical infrastructure with a foreign principal from a foreign  
29                   adversary country if all of the following apply:

30                   (1) There is no other reasonable option for addressing the need relevant

1 to state critical infrastructure.

2 (2) Not entering into the contract or agreement would pose a greater  
3 threat to the state than the threat associated with entering into the contract.

4 D.(1) Nothing in this Part shall apply to any transaction, agreement,  
5 activity, technology, software, service, or access that is conducted pursuant to  
6 and in compliance with a specific license or authorization issued by the United  
7 States government, including but not limited to licenses or authorizations issued  
8 by the United States Department of Homeland Security, United States  
9 Department of the Treasury, or United States Department of Commerce, or  
10 where such activities were previously conducted pursuant to a license or  
11 authorization that is no longer required due to the lifting, modification,  
12 removals, or expiration of applicable United States sanctions, executive orders,  
13 regulations, or statutes.

14 (2) Intra-company shared services that do not involve a foreign  
15 adversary company do not constitute agreements with a foreign principal so  
16 long as ownership and operational command authority remain with a parent  
17 company domiciled in the United States.

18 §3086. Prohibitions on certain software in critical infrastructure

19 A. All software providing operational command authority over critical  
20 infrastructure shall not include any software produced by a company  
21 headquartered in and subject to the laws of a foreign adversary, or a company  
22 under the direction or control of a foreign adversary.

23 B. All software used in state infrastructure in operation within or serving  
24 this state, including any state infrastructure which is not permanently disabled,  
25 shall have all software prohibited pursuant to the provisions of this Section  
26 removed and replaced with software which is not prohibited pursuant to the  
27 provisions of this Section unless that software was lawfully installed prior to  
28 August 1, 2026, and remains compliant with applicable federal law.

29 C. Any state infrastructure provider that removes, discontinues, or  
30 replaces any prohibited software shall not be required to obtain any additional

1 permits from any state agency or political subdivision for the removal,  
 2 discontinuance, or replacement of such software as long as the state agency or  
 3 political subdivision is properly notified of the necessary replacements and the  
 4 replacement software is similar to the existing software.

5 **§3087. Telecommunications providers in compliance with federal law**

6 Nothing in this Part applies to any provider of an interactive computer  
 7 service, as defined in 47 U.S.C. 230, or any provider of a telecommunications  
 8 service or an information service, as defined in 47 U.S.C. 153, nor to any  
 9 employee, agent, or contractor acting on behalf of such provider, to the extent  
 10 that the provider is in compliance with the Secure and Trusted Communications  
 11 Networks Act of 2019, 47 U.S.C. 1601, et seq.

12 **§3088. Electric utilities in compliance with federal law**

13 Nothing in this Part applies to any member-owned electric cooperatives  
 14 or investor-owned utilities subject to the North American Electric Reliability  
 15 Corporation, NERC, Reliability Standards, or to any member-owned electric  
 16 cooperatives or investor-owned utility assets subject to the Nuclear Regulatory  
 17 Commission, NRC.

18 **§3089. Enforcement; civil proceedings**

19 The attorney general may institute civil proceedings to enforce the  
 20 provisions of this Part, including but not limited to actions against a foreign  
 21 adversary company or any other vendor, provider, distributor, or relabeler or  
 22 white-labeler of a foreign adversary technology for violations of the Unfair  
 23 Trade Practices and Consumer Protection Law, R.S. 51:1401 et seq.

24 Section 2. The Louisiana State Law Institute is hereby directed to designate the  
 25 provisions of R.S. 51:3071 through 3080 as Part A of Chapter 51 of Title 51 of the Louisiana  
 26 Revised Statutes of 1950 to be entitled, "PART A. DATABASE SECURITY BREACH  
 27 NOTIFICATION".

28 Section 3. It is the intent of this legislature that Venezuela not be considered a foreign  
 29 adversary unless and until a new determination is made by the United States Department of  
 30 Commerce to designate the successor regime to the Venezuelan politician Nicolas Maduro

1 to be a foreign adversary to the United States.

2 Section 4. (A) The provisions of R.S. 51:3089 as enacted by Section 1 of this Act  
3 shall become effective on November 29, 2026.

4 (B) Sections 2, 3, and this Section of this Act shall become effective on August 1,  
5 2026.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_