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	DIGEST	
SB 226 Original	2025 Regular Session	Hodges

Present law provides that beginning Aug. 1, 2023, no foreign adversary or person connected with a foreign adversary may purchase, lease, or acquire immovable property in this state. Provides that parties to the contract with a foreign adversary may rescind the contract prior to the transfer of the immovable property if it is determined that the purchaser or lessee is a foreign adversary or a person connected with a foreign adversary. Provides for exceptions. Provides that the attorney general may bring an action for injunctive relief in the name of the state against a foreign adversary or person connected to a foreign adversary to enforce the provisions of present law. Provides that a court may order that the property be sold to someone who is not a foreign adversary, or to a person who is not a person connected with a foreign adversary, or sold at judicial sale. Provides that the court shall order that the price of the sale be not less than the sum of all of the following:

- (1) Ad valorem taxes and other liens payable to a political subdivision on the property.
- (2) Indebtedness secured by a conventional mortgage on the property.
- (3) Indebtedness secured by a judicial or legal mortgage on the property.
- (4) Indebtedness secured by a lien or privilege on the property.
- (5) Commissions due to a real estate broker or real estate agent.
- (6) Costs related to the perfection of the sale.

Proposed law retains present law but changes the term from "person connected with a foreign adversary" to "prohibited foreign actor".

Present law (R.S. 3:3616) provides that, as it relates to farmland, that any prohibited foreign actor that violates present law is subject to a court ordered civil penalty of \$50,000 and forfeiture of the agricultural land if any prohibited foreign actor does not divest itself of land acquired in violation of present law within one year after judgment is entered in this action.

Proposed law retains present law and also makes the provisions related to the court ordered civil penalty forfeiture provisions regarding agricultural land to be applicable to all other immovable property acquired by a foreign adversary or a prohibited foreign actor.

Present law, (R.S. 3:3616) as it relates to farmland, authorizes the attorney general to bring an action

for injunctive relief against the foreign adversary or a prohibited foreign actor to restrain and enjoin the sale or lease of immovable property. Establishes a process for such action if the attorney general elects to seek enforcement. Provides certain requirements for the attorney general to serve an investigative demand or subpoena for deposition testimony of a person who has information or other evidence of an alleged violation of present law. Further provides form, notice, and service requirements for such investigative demands and subpoenas. Authorizes the attorney general to apply to the court for an order compelling compliance with the investigative demand or subpoena if no protective order is secured. Further authorizes the attorney general to use other procedures authorized by law for a violation of present law. Authorizes the court, when petitioned by the attorney general, to issue additional orders such as revocation, forfeiture, or suspension of licensure; to appoint a receiver; to dissolve a domestic corporation; to suspend or terminate a foreign company's right to do business in the state, to require restitution; and to require civil forfeiture or divestiture of immovable property.

Proposed law retains present law and also makes the provisions regarding agricultural land applicable to all other immovable property acquired by a foreign adversary or a prohibited foreign actor.

Present law (R.S. 3:3614) applies to both individuals and business entities that are foreign adversaries or prohibited foreign actors as it relates to farmland and present law (R.S. 9:2717.1) as it relates to all other immovable property only applies to business entities.

Proposed law retains present law and provides that an individual who is a foreign adversary or a prohibited foreign actor may not own immovable property, whether it is farmland or other immovable property.

Present law provides that the prohibition against foreign adversaries owning immovable property in Louisiana only applies to property acquired on or after Aug. 1, 2023.

Proposed law retains present law and provides that immovable property that is purchased, leased, possessed, owned, held in interest, or in any manner under the control of a foreign adversary or a prohibited foreign actor that is located within 50 miles of national security infrastructure may be expropriated by the state Military Dept., regardless of the date acquired. Defines "national security infrastructure" as any of the following:

- (1) A military facility, reservation, camp, post, base, installation, armory, or training area and any weather station operated by the armed forces of the United States.
- (2) A military facility, reservation, camp, post, base, installation, armory, or training area that is operated by the state military.
- (3) Any facility operated by the Civil Air Patrol.

Present law provides for the purchase of certain voting systems or voting machines by the secretary of state. Prohibits the secretary of state from awarding a contract for voting machines or voting

systems unless the awarded vendor attest that the vendor is not owned or controlled by a foreign power.

Proposed law retains present law and changes term from "owned or controlled by a foreign power" to "foreign adversary". Provides that, in order to protect taxpayers funds from purchasing or acquiring voting machines or voting systems that are inoperable for federal elections, the secretary of state is to certify to the Voting System Commission and to the Joint Legislative Committee on the Budget all of the following:

- (1) That the proposed purchase of voting machines or voting systems is not prohibited as information and communications technology that is designated by the U.S. Dept. of Homeland Security to be an election infrastructure with a nexus to foreign adversaries in violation of federal law and, therefore, is not a risk to national security.
- (2) That the U.S. Secretary of Homeland Security, in coordination with the U.S. Election Assistance Commission, has not found that the proposed voting system to be an electronic voting system that is subject to being compromised through malicious software and unauthorized intrusions into the system by foreign adversaries and is, therefore, not a risk to national security.
- (3) That the proposed voting machines or voting systems or any component parts are not manufactured by a foreign adversary and, therefore, would not be a risk to national security, not violate federal law, and not be subject to the maximum civil penalty of \$250,000 per violation.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 9:2717.1(A), (B)(1), (2), (4), and (5), (C)(1)(intro para), (C)(1)(b), (D), (E), (F), (G), and (H) and R.S. 18:1362(A)(1) and 1362.1(L); adds R.S. 9:2717.1(I), (J), and (K), and 2717.1.1 and R.S. 18:1362.3)