

2022 Regular Session

SENATE BILL NO. 472

BY SENATOR MILLIGAN AND REPRESENTATIVE MIKE JOHNSON

HOMELAND SECURITY. Provides for transparency in ownership of property considered critical infrastructure. (gov sig)

1 AN ACT

2 To enact Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised

3 of R.S. 51:3051 through 3054, relative to homeland security; to provide relative to

4 ownership of immovable property; to require transparency of ownership of certain

5 types of immovable property deemed to be critical to the health, safety, and welfare

6 of the people of the state of Louisiana; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 51:3051 through 3054 are hereby enacted to read as follows:

9 **CHAPTER 49. TRANSPARENCY IN OWNERSHIP**

10 **OF CRITICAL INFRASTRUCTURE**

11 **§3051. Short title**

12 **This Chapter shall be known and may be cited as the Transparency in**
13 **Ownership of Critical Infrastructure Law.**

14 **§3052. Definitions**

15 **As used in this Chapter the following terms have the meanings ascribed**
16 **unless the context clearly indicates otherwise:**

17 **(1) "Critical infrastructure" means any facility or operation related to:**

1 **(a) Grain storage.**

2 **(b) The manufacture and storage of fertilizer.**

3 **(c) Farming of one hundred sixty acres or more.**

4 **(d) Transportation of goods, including roads, bridges, ferries, ports, and**
5 **bus, train, and air terminals.**

6 **(e) The production or transportation of energy or fuel, including**
7 **petrochemicals, nuclear power, solar power, and wind power.**

8 **(f) Communications systems.**

9 **(g) Any other facility or operation designated by the Governor's Office**
10 **of Homeland Security as infrastructure critical to the health, safety, and welfare**
11 **of people of the state of Louisiana.**

12 **(2) "Person" means any individual, partnership, association, joint stock**
13 **association, trust, corporation, or other business entity whether incorporated**
14 **or not.**

15 **(3) "Key employee" means an employee, agent, or representative of an**
16 **owner who holds or exercises critical or significant management or operating**
17 **authority within any entity with an ownership interest in any critical**
18 **infrastructure.**

19 **§3053. Reporting requirements**

20 **A. Each person who on June 1, 2022, or thereafter holds an ownership**
21 **interest in any property or facility designated as critical infrastructure shall**
22 **report to the secretary of state and the secretary of the Department of Economic**
23 **Development the following information, on a form provided by the secretary of**
24 **state:**

25 **(1) The person's legal name and domiciliary address.**

26 **(2) A brief explanation of the organizational structure of any juridical**
27 **person that holds any direct or indirect ownership interest in the critical**
28 **infrastructure.**

29 **(3) The legal name and domiciliary address of each person who is an**

1 officer, owner, or key employee of any juridical person required to report
2 pursuant to this Subsection.

3 (4) The name and address of the holder of any debt or obligation
4 incurred to provide funding for the purchase, upkeep, or enhancement of the
5 critical infrastructure.

6 B. Each person covered by the provisions of Subsection A of this Section
7 shall submit the required information no later than July 1, 2022.

8 C. Each person who acquires an ownership interest in any critical
9 infrastructure after June 1, 2022, shall submit the information required by
10 Subsection A of this Section within thirty days of the acquisition.

11 §3054. Failure to file reports

12 Failure to comply with the provisions of this Chapter shall be grounds
13 for denial of any permit, license, or governmental action involving a facility or
14 operation that is considered critical infrastructure of the state.

15 Section 2. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
19 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by LG Sullivan.

DIGEST

SB 472 Original 2022 Regular Session Milligan

Proposed law provides for the Transparency in Ownership of Critical Infrastructure Law.

Proposed law defines terms. Proposed law provides that "critical infrastructure" means any facility or operation related to: grain storage; the manufacture and storage of fertilizer; farming of 160 acres or more; transportation of goods, including roads, bridges, ferries, ports, and bus, train, and air terminals; the production or transportation of energy or fuel; and any other facility or operation designated by the Governor's Office of Homeland Security.

Proposed law requires each person who on June 1, 2022, or thereafter holds an ownership interest in any property or facility designated as critical infrastructure to report certain information to the secretary of state and the secretary of the Dept. of Economic Development including the owner's name and address, an explanation of the organizational structure if the owner is a business entity, the names and addresses of people who own the entity and those

who are key employees. Requires the report to include information on any debt or obligation incurred to provide funding for the purchase, upkeep, or enhancement of the critical infrastructure. Requires those who hold ownership on June 1, 2022, to submit the report no later than July 1, 2022. Requires those who acquire ownership after June 1, 2022, to submit report within 30 days of the acquisition.

Proposed law provides that failure to report shall be grounds for denial of any permit, license, or governmental action involving a facility or operation that is considered critical infrastructure of the state.

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

(Adds R.S. 51:3051-3054)