

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 0631,
Page 18, Section 304.180, Line 133, by inserting after all of said section and line the following:

“350.015. After September 28, 1975, no corporation not already engaged in farming shall engage in farming; nor shall any corporation, directly or indirectly, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to agricultural land in this state; provided, however, that the restrictions set forth in this section shall not apply to the following:

(1) A bona fide encumbrance taken for purposes of security;

(2) A family farm corporation or an authorized farm corporation as defined in section 350.010;

(3) Agricultural land and land capable of being used for farming owned by a corporation as of September 28, 1975, including the normal expansion of such ownership at a rate not to exceed twenty percent, measured in acres, in any five-year period, or agricultural land and land capable of being used for farming which is leased by a corporation in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of September 28, 1975, and the additional acreage for normal expansion at a rate not to exceed twenty percent in any five-year period, and the additional acreage reasonably necessary, whether to be owned or leased by a corporation, to meet the requirements of pollution control regulations;

(4) A farm operated wholly for research or experimental purposes, including seed research and experimentation and seed stock production for genetic improvements, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(5) Agricultural land operated by a corporation for the purposes of growing nursery plants, vegetables, grain or fruit used exclusively for brewing or winemaking or distilling purposes and not for resale, for forest cropland or for the production of poultry, poultry products, fish or mushroom farming, production of registered breeding stock for sale to farmers to improve their breeding herds, for the production of raw materials for pharmaceutical manufacture, chemical processing, food additives and related products, and not for resale;

1 (6) Agricultural land operated by a corporation for the purposes of alfalfa dehydration
2 exclusively and only as to said lands lying within fifteen miles of a dehydrating plant, and
3 provided further said crops raised thereon shall be used only for further processing and not for
4 resale in its original form;

5 (7) Any interest, when acquired by an educational, religious, or charitable not-for-profit or
6 pro forma corporation or association;

7 (8) Agricultural land or any interest therein acquired by a corporation other than a family
8 farm corporation or authorized farm corporation, as defined in section 350.010, for immediate or
9 potential use in nonfarming purposes. A corporation may hold such agricultural land in such
10 acreage as may be necessary to its nonfarm business operation; provided, however, that pending
11 the development of agricultural land for nonfarm purposes, such land may not be used for farming
12 except under lease to a family farm unit, a family farm corporation or an authorized farm
13 corporation, or except when controlled through ownership, options, leaseholds, or other
14 agreements by a corporation which has entered into an agreement with the United States of
15 America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban
16 Development Act of 1968, 42 U.S.C. 3901-3914), as amended, or a subsidiary or assign of such a
17 corporation;

18 (9) Agricultural lands acquired by a corporation by process of law or voluntary
19 conveyance in the collection of debts, or by any procedure for the enforcement of a lien or claim
20 thereon, whether created by mortgage or otherwise; provided, that any corporation may hold for
21 ten years real estate acquired in payment of a debt, by foreclosure or otherwise, and for such
22 longer period as may be provided by law;

23 (10) The provisions of sections 350.010 to 350.030 shall not apply to the raising of hybrid
24 hogs in connection with operations designed to improve the quality, characteristics, profitability,
25 or marketability of hybrid hogs through selective breeding and genetic improvement where the
26 primary purpose of such livestock raising is to produce hybrid hogs to be used by farmers and
27 livestock raisers for the improvement of the quality of their herds;

28 (11) A bank or trust company acting as administrator or executor under the terms of a will
29 or trustee under the terms of a testamentary or inter vivos trust created by the owner of a family
30 farm, or an inter vivos or testamentary trust, the principal of which is shares of a family farm
31 corporation or authorized farm corporation and which trust is created by a shareholder of the
32 family farm corporation or authorized farm corporation. However, a bank or trust company acting
33 in the administration of an investment trust or a management trust formed with the primary
34 purpose of making or managing investments or income-producing property and purchasing
35 agricultural real estate with trust funds with the primary benefits accruing to investors or
36 shareholders in the trust is not exempt from the provisions of sections 350.010 to 350.030;

1 (12) Agricultural land that on June 1, 1998, was in compliance with section 350.016;

2 (13) As provided under section 350.017.

3 350.017. The effective starting date for the restrictions under section 350.015 shall be
4 September 28, 2007, rather than September 28, 1975 as section 350.015 provides, for agricultural
5 land used by a corporation, limited liability company, or limited liability partnership for the
6 production of swine or swine products located in:

7 (1) Any county of the third classification without a township form of government and
8 with fewer than two thousand five hundred inhabitants;

9 (2) Any county of the third classification with a township form of government and with
10 more than six thousand but fewer than seven thousand inhabitants and with a city of the fourth
11 classification with more than one thousand seven hundred but fewer than one thousand nine
12 hundred inhabitants as the county seat; or

13 (3) Any county of the third classification with a township form of government and with
14 more than eight thousand but fewer than nine thousand inhabitants and with a city of the fourth
15 classification with more than one thousand seven hundred but fewer than one thousand nine
16 hundred inhabitants as the county seat;

17
18 provided that any such corporation, limited liability company, or limited liability partnership
19 engaged in such farming activity or land ownership as of September 28, 2007, shall be exempt
20 from the restrictions under section 350.015."; and

21
22 Further amend said bill by amending the title, enacting clause, and intersectional references
23 accordingly.