

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 506, Page 23, Section 340.396, Line 6, by
2 inserting after all of said section and line the following:

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4 "442.571. 1. Except as provided in sections 442.586 and 442.591, no alien or foreign
5 business shall acquire by grant, purchase, devise, descent or otherwise agricultural land in this state
6 if the total aggregate alien and foreign ownership of agricultural acreage in this state exceeds
7 one-half of one percent of the total aggregate agricultural acreage in this state. [No such] A sale[, or
8 transfer[, or acquisition] of any agricultural land in this state shall [occur unless such sale, transfer, or
9 acquisition is approved by] be submitted to the director of the department of agriculture for review in
10 accordance with subsection 3 of this section only if there is no completed Internal Revenue Service
11 Form W-9 signed by the purchaser. No person may hold agricultural land as an agent, trustee, or
12 other fiduciary for an alien or foreign business in violation of sections 442.560 to 442.592, provided,
13 however, that no security interest in such agricultural land shall be divested or invalidated by such
14 violation.

15 2. Any alien or foreign business who acquires agricultural land in violation of sections
16 442.560 to 442.592 remains in violation of sections 442.560 to 442.592 for as long as he or she holds
17 an interest in the land, provided, however, that no security interest in such agricultural land shall be
18 divested or invalidated by such violation.

19 3. [All] Subject to the provisions of subsection 1 of this section, such proposed acquisitions
20 by grant, purchase, devise, descent, or otherwise of agricultural land in this state shall be submitted
21 to the department of agriculture to determine whether such acquisition of agricultural land is
22 conveyed in accordance with the one-half of one percent restriction on the total aggregate alien and
23 foreign ownership of agricultural land in this state. The department shall establish by rule the
24 requirements for submission and approval of requests under this subsection.

25 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
26 under the authority delegated in this section shall become effective only if it complies with and is
27 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
28 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
29 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
30 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
31 August 28, [2013]2014, shall be invalid and void.

Action Taken _____ Date _____

1 442.586. Sections 442.560 to 442.591 shall not apply to agricultural land [now owned]
2 acquired in this state by aliens or foreign businesses prior to the effective date of this section so long
3 as it is held by the present owners or their direct descendants including any trust for the benefit of
4 either and any legal person owned or controlled by either including but not limited to corporations,
5 limited liability corporations, partnerships, and limited liability partnerships, nor to any alien who is
6 or shall take up bona fide residence in the United States; and any alien who is or shall become a bona
7 fide resident of the United States shall have the right to acquire and hold agricultural lands in this
8 state upon the same terms as citizens of the United States during the continuance of such bona fide
9 residence in the United States; except, that if any resident alien shall cease to be a bona fide resident
10 of the United States, such alien shall have two years from the time he ceased to be a bona fide
11 resident in which to divest himself of such agricultural lands. Any agricultural lands not divested
12 within the time prescribed shall be ordered sold by the court at a public sale in the manner prescribed
13 by law for the foreclosure of a mortgage on real estate for default in payment."; and

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15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.
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