

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute for Senate Bill No. 1298, Page 17, Section 307.010, Line 20, by
2 inserting after all of said section and line the following:

3
4 "442.560. Except as provided in sections 442.560 to 442.591, beginning August 28, 2024,
5 persons not citizens of the United States and not residents of the United States or of some territory,
6 trusteeship, or protectorate of the United States, and corporations not created by or under the laws of
7 the United States or of some state, territory, trusteeship, or protectorate of the United States shall not
8 be capable of acquiring, by grant, purchase, devise or descent, commercial real estate ~~[except]~~,
9 including agricultural land as defined in section 442.566, or any interest therein, in this state, and of
10 owning, holding, devising, or alienating the same, ~~[and]~~ except those persons not citizens of the
11 United States and not residents of the United States or of some territory, trusteeship, or protectorate
12 of the United States, and corporations not created by or under the laws of the United States or of
13 some state, territory, trusteeship, or protectorate of the United States that have acquired commercial
14 real estate and agricultural land in this state prior to August 28, 2024, shall continue to own and hold
15 the acquired real estate and shall incur the like duties and liabilities in relation thereto as if they
16 were citizens of the United States and residents of this state, but shall not grant, sell, or otherwise
17 transfer commercial real estate and agricultural land on or after August 28, 2024, to any other
18 person not a citizen of the United States or of some territory, trusteeship, or protectorate of the
19 United States, nor to a corporation not created by or under the laws of the United States or of some
20 state, territory, trusteeship, or protectorate of the United States. The provisions of sections 442.560
21 to 442.591 shall not apply to agricultural land located in counties which border the state of
22 Oklahoma which was owned by such a person described in this section prior to January 1, 1995.

23 442.571. 1. Except as provided in sections 442.586 and 442.591, ~~[no alien or foreign~~
24 ~~business shall acquire by grant, purchase, devise, descent or otherwise agricultural land in this state~~
25 ~~if the total aggregate alien and foreign ownership of agricultural acreage in this state exceeds one~~
26 ~~percent of the total aggregate agricultural acreage in this state. A sale or transfer of any agricultural~~
27 ~~land in this state shall be submitted to the director of the department of agriculture for review in~~
28 ~~accordance with subsection 3 of this section only if there is no completed Internal Revenue Service~~
29 ~~Form W-9 signed by the purchaser]~~ beginning August 28, 2024, no alien or foreign business shall
30 acquire by grant, purchase, devise, descent, or otherwise any agricultural land in this state. Any

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1 alien or foreign business who acquired any agricultural land in this state prior to August 28, 2024,
 2 shall not grant, sell, or otherwise transfer such agricultural land to any other alien or foreign
 3 business on or after August 28, 2024. No person may hold agricultural land as an agent, trustee, or
 4 other fiduciary for an alien or foreign business in violation of sections 442.560 to 442.592, provided,
 5 however, that no security interest in such agricultural land shall be divested or invalidated by such
 6 violation.

7 2. Any alien or foreign business who acquires agricultural land in violation of sections
 8 442.560 to 442.592 remains in violation of sections 442.560 to 442.592 for as long as ~~he or she~~ the
 9 alien or foreign business holds an interest in the land, provided, however, that no security interest in
 10 such agricultural land shall be divested or invalidated by such violation.

11 3. Subject to the provisions of subsection 1 of this section, ~~such~~ all proposed ~~acquisitions~~
 12 transfers on or after August 28, 2024, by grant, purchase, devise, descent, or otherwise of any
 13 interest in agricultural land held by any alien or foreign business in this state shall be submitted to
 14 the department of agriculture to determine whether such ~~acquisition~~ transfer of agricultural land is
 15 conveyed in accordance with the ~~one percent restriction on the total aggregate~~ prohibition on alien
 16 and foreign ownership of agricultural land in this state under this section. The department shall
 17 establish by rule the requirements for submission and approval of requests under this subsection.

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

25
 26 ~~[442.591. The restrictions set forth in sections 442.560 to 442.592 shall~~
 27 ~~not apply to agricultural land or any interest therein acquired by an alien or foreign~~
 28 ~~business for immediate or potential use in nonfarming purposes. An alien or~~
 29 ~~foreign business may hold such agricultural land in such acreage as may be~~
 30 ~~necessary to its nonfarm business operation; provided, however, that pending the~~
 31 ~~development of agricultural land for nonfarm purposes, such land may not be used~~
 32 ~~for farming except under lease to a family farm unit; a family farm corporation~~
 33 ~~defined in section 350.010; an alien or foreign business which has filed with the~~
 34 ~~director under sections 442.560 to 442.592; or except when controlled through~~
 35 ~~ownership, options, leaseholds or other agreements by a corporation which has~~
 36 ~~entered into an agreement with the United States of America pursuant to the New~~
 37 ~~Community Act of 1968 (Title IV of the Housing and Urban Development Act of~~
 38 ~~1969, 42 U.S.C. 3901-3914), as amended, or a subsidiary or assignee of such a~~
 39 ~~corporation.]"; and~~

40
 41 Further amend said bill by amending the title, enacting clause, and intersectional references
 42 accordingly.