

FIRST REGULAR SESSION

HOUSE BILL NO. 1296

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ANDREWS.

0261H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 442, RSMo, by adding thereto one new section relating to foreign ownership of real property.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 442, RSMo, is amended by adding thereto one new section, to be known as section 442.595, to read as follows:

442.595. 1. Notwithstanding any provision of section 442.571 to the contrary, no nonresident alien who is a citizen of, or entity with majority ownership by citizens of, any country that has a policy that prohibits in fact or has the effect of prohibiting foreign ownership of land by American citizens shall acquire by grant, purchase, devise, descent, or otherwise any agricultural land in this state.

2. No person shall hold agricultural land as an agent, trustee, or other fiduciary for a person or entity prohibited from owning agricultural land under subsection 1 of this section; however, no security interest in such agricultural land shall be divested or invalidated by such violation.

3. This section shall not apply to any agricultural land in this state owned by a person or entity prohibited from owning agricultural land under subsection 1 of this section so long as the agricultural land is held by the owners who owned the agricultural land on August 28, 2021, or their direct descendants, including any trust for the benefit of either and any legal person owned or controlled by either including, but not limited to, corporations, limited liability corporations, partnerships, and limited liability partnerships.

4. The attorney general shall enforce this section. If the attorney general determines agricultural land is held in violation of this section, the attorney general shall

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **file a notice of the pendency of an action with the recorder of deeds of each county in which**
19 **any portion of the land is located. If the court finds that the land in question have been**
20 **acquired in violation of this section, the court shall enter an order so declaring and shall**
21 **file a copy of the order with the recorder of deeds of each county in which any portion of**
22 **the real property is located, and the court shall order the owner to divest himself, herself,**
23 **or itself of the agricultural land. The owner shall comply with the order within two years.**
24 **The two-year limitation period shall be a covenant running with the title to the land against**
25 **any grantee or assignee of a person or entity prohibited from owning agricultural land**
26 **under subsection 1 of this section. Any real property not divested within the time**
27 **prescribed shall be ordered sold by the court at a public sale in the manner prescribed by**
28 **law for the foreclosure of a mortgage on real estate for default in payment.**

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