

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

**HOUSE BILLS NOS. 903, 465, 430
& 499**

102ND GENERAL ASSEMBLY

1743S.06C

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 442.571 and 442.591, RSMo, and to enact in lieu thereof two new sections relating to foreign ownership of real property.

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

Section A. Sections 442.571 and 442.591, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 442.571 and 442.591, to read as follows:

442.571. 1. Except as provided in sections 442.586
2 and 442.591, [no alien or foreign business shall acquire by
3 grant, purchase, devise, descent or otherwise agricultural
4 land in this state if the total aggregate alien and foreign
5 ownership of agricultural acreage in this state exceeds one
6 percent of the total aggregate agricultural acreage in this
7 state. A sale or transfer of any agricultural land in this
8 state shall be submitted to the director of the department
9 of agriculture for review in accordance with subsection 3 of
10 this section only if there is no completed Internal Revenue
11 Service Form W-9 signed by the purchaser] **beginning August
12 28, 2023, no alien, foreign business, or foreign government
13 shall acquire by grant, purchase, devise, descent, or
14 otherwise any agricultural land in this state. Any alien,
15 foreign business, or foreign government who acquired any**

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 **agricultural land in this state prior to August 28, 2023,**
17 **shall not grant, sell, or otherwise transfer such**
18 **agricultural land to any other alien, foreign business, or**
19 **foreign government on or after August 28, 2023.** No person
20 may hold agricultural land as an agent, trustee, or other
21 fiduciary for an alien [or], foreign business, **or foreign**
22 **government** in violation of sections 442.560 to 442.592,
23 provided, however, that no security interest in such
24 agricultural land shall be divested or invalidated by such
25 violation.

26 2. Any alien [or], foreign business, **or foreign**
27 **government** who acquires agricultural land in violation of
28 sections 442.560 to 442.592 remains in violation of sections
29 442.560 to 442.592 for as long as [he or she] **the alien,**
30 **foreign business, or foreign government** holds an interest in
31 the land, provided, however, that no security interest in
32 such agricultural land shall be divested or invalidated by
33 such violation.

34 3. Subject to the provisions of subsection 1 of this
35 section, [such] **all proposed [acquisitions] transfers on or**
36 **after August 28, 2023,** by grant, purchase, devise, descent,
37 or otherwise of **any interest in agricultural land held by**
38 **any alien, foreign business, or foreign government** in this
39 state shall be submitted **at least thirty calendar days prior**
40 **to when such transfers of such agricultural land are**
41 **finalized** to the department of agriculture to determine
42 whether such [acquisition] **transfer** of agricultural land is
43 conveyed in accordance with the [one percent restriction on
44 the total aggregate] **prohibition on** alien and foreign
45 ownership of agricultural land in this state **under this**
46 **section.** The department shall establish by rule the

47 requirements for submission and approval of requests under
48 this subsection.

49 4. Any rule or portion of a rule, as that term is
50 defined in section 536.010, that is created under the
51 authority delegated in this section shall become effective
52 only if it complies with and is subject to all of the
53 provisions of chapter 536 and, if applicable, section
54 536.028. This section and chapter 536 are nonseverable and
55 if any of the powers vested with the general assembly
56 pursuant to chapter 536 to review, to delay the effective
57 date, or to disapprove and annul a rule are subsequently
58 held unconstitutional, then the grant of rulemaking
59 authority and any rule proposed or adopted after August 28,
60 2014, shall be invalid and void.

442.591. The restrictions set forth in sections
2 442.560 to 442.592 shall not apply to agricultural land or
3 any interest therein acquired by an alien [or], foreign
4 business, **or foreign government** for immediate or potential
5 use in nonfarming purposes. An alien [or], foreign
6 business, **or foreign government** may hold such agricultural
7 land in such acreage as may be necessary to its nonfarm
8 business operation; provided, however, that pending the
9 development of agricultural land for nonfarm purposes, such
10 land may not be used for farming except under lease to a
11 family farm unit; a family farm corporation defined in
12 section 350.010; an alien [or], foreign business, **or foreign**
13 **government** which has filed with the director under sections
14 442.560 to 442.592; or except when controlled through
15 ownership, options, leaseholds or other agreements by a
16 corporation which has entered into an agreement with the
17 United States of America pursuant to the New Community Act
18 of 1968 (Title IV of the Housing and Urban Development Act

19 of 1969, 42 U.S.C. 3901-3914), as amended, or a subsidiary
20 or assignee of such a corporation. **As used in this section,**
21 **the term "nonfarming" includes, but is not limited to, the**
22 **conducting and active operation of research or**
23 **experimentation for the purpose of developing or improving**
24 **any type of agricultural practice, tool, device, or**
25 **implement.**

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