

FIRST REGULAR SESSION

# SENATE BILL NO. 541

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

1852S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 442.560 and 442.571, RSMo, and to enact in lieu thereof two new sections relating to foreign ownership of real estate.

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

Section A. Sections 442.560 and 442.571, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 442.560 and 442.571, to read as follows:

442.560. Except as provided in sections 442.560 to  
2 442.591, **beginning August 28, 2023**, persons not citizens of  
3 the United States and not residents of the United States or  
4 of some territory, trusteeship, or protectorate of the  
5 United States, and corporations not created by or under the  
6 laws of the United States or of some state, territory,  
7 trusteeship, or protectorate of the United States shall **not**  
8 be capable of acquiring, by grant, purchase, devise or  
9 descent, real estate except agricultural land as defined in  
10 section 442.566, or any interest therein, in this state, and  
11 of owning, holding, devising, or alienating the same, **[and]**  
12 **except those persons not citizens of the United States and**  
13 **not residents of the United States or of some territory,**  
14 **trusteeship, or protectorate of the United States, and**  
15 **corporations not created by or under the laws of the United**  
16 **States or of some state, territory, trusteeship, or**  
17 **protectorate of the United States that have acquired real**  
18 **estate in this state prior to August 28, 2023, shall**

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

19 **continue to own and hold the acquired real estate and** shall  
20 incur the like duties and liabilities in relation thereto as  
21 if they were citizens of the United States and residents of  
22 this state, **but shall not grant, sell, or otherwise transfer**  
23 **such real estate on or after August 28, 2023, to any other**  
24 **person not a citizen of the United States and not a resident**  
25 **of the United States or of some territory, trusteeship, or**  
26 **protectorate of the United States, nor to a corporation not**  
27 **created by or under the laws of the United States or of some**  
28 **state, territory, trusteeship, or protectorate of the United**  
29 **States.** The provisions of sections 442.560 to 442.591 shall  
30 not apply to agricultural land located in counties which  
31 border the state of Oklahoma which was owned by such a  
32 person described in this section prior to January 1, 1995.

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 or foreign business shall acquire by**  
13 **grant, purchase, devise, descent, or otherwise any**  
14 **agricultural land in this state. Any alien or foreign**  
15 **business who acquired any agricultural land in this state**  
16 **prior to August 28, 2023, shall not grant, sell, or**  
17 **otherwise transfer such agricultural land to any other alien**  
18 **or foreign business on or after August 28, 2023.** No person

19 may hold agricultural land as an agent, trustee, or other  
20 fiduciary for an alien or foreign business in violation of  
21 sections 442.560 to 442.592, provided, however, that no  
22 security interest in such agricultural land shall be  
23 divested or invalidated by such violation.

24       2. **Any alien or foreign business shall not be able to**  
25 **purchase or lease real estate within fifty miles from:**

26           (1) **Any military or air-force reservation, post,**  
27 **arsenal, proving ground, range, mine field, camp, base,**  
28 **airfield, fort, yard, station, district, or area; or**

29           (2) **Any commercial establishment engaged in the**  
30 **development or manufacture of classified military or naval**  
31 **arms, munitions, equipment, designs, ships, aircraft, or**  
32 **vessels for the United States Army, Navy, or Air Force.**

33       3. Any alien or foreign business who acquires  
34 agricultural land in violation of sections 442.560 to  
35 442.592 remains in violation of sections 442.560 to 442.592  
36 for as long as [he or she] **the alien or foreign business**  
37 holds an interest in the land, provided, however, that no  
38 security interest in such agricultural land shall be  
39 divested or invalidated by such violation.

40       [3.] 4. Subject to the provisions of subsection 1 of  
41 this section, [such] **all proposed [acquisitions] transfers**  
42 **on or after August 28, 2023,** by grant, purchase, devise,  
43 descent, or otherwise of **any interest in** agricultural land  
44 **held by any alien or foreign business** in this state shall be  
45 submitted to the department of agriculture to determine  
46 whether such [acquisition] **transfer** of agricultural land is  
47 conveyed in accordance with the [one percent restriction on  
48 the total aggregate] **prohibition on** alien and foreign  
49 ownership of agricultural land in this state **under this**  
50 **section.** The department shall establish by rule the

51 requirements for submission and approval of requests under  
52 this subsection.

53 [4.] 5. Any rule or portion of a rule, as that term is  
54 defined in section 536.010, that is created under the  
55 authority delegated in this section shall become effective  
56 only if it complies with and is subject to all of the  
57 provisions of chapter 536 and, if applicable, section  
58 536.028. This section and chapter 536 are nonseverable and  
59 if any of the powers vested with the general assembly  
60 pursuant to chapter 536 to review, to delay the effective  
61 date, or to disapprove and annul a rule are subsequently  
62 held unconstitutional, then the grant of rulemaking  
63 authority and any rule proposed or adopted after August 28,  
64 2014, shall be invalid and void.

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