

FIRST REGULAR SESSION

SENATE BILL NO. 55

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BEAN.

1128S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 442.571, RSMo, and to enact in lieu thereof one new section relating to foreign ownership of agricultural land.

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

Section A. Section 442.571, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 442.571,
3 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 **half of** one percent of the total aggregate agricultural
7 acreage in this state. A sale or transfer of any
8 agricultural land in this state shall be submitted to the
9 director of the department of agriculture for review in
10 accordance with subsection 3 of this section only if there
11 is no completed Internal Revenue Service Form W-9 signed by
12 the purchaser. No person may hold agricultural land as an
13 agent, trustee, or other fiduciary for an alien or foreign
14 business in violation of sections 442.560 to 442.592,
15 provided, however, that no security interest in such
16 agricultural land shall be divested or invalidated by such
17 violation.

18 2. Any alien or foreign business who acquires
19 agricultural land in violation of sections 442.560 to
20 442.592 remains in violation of sections 442.560 to 442.592
21 for as long as he or she holds an interest in the land,
22 provided, however, that no security interest in such
23 agricultural land shall be divested or invalidated by such
24 violation.

25 3. Subject to the provisions of subsection 1 of this
26 section, such proposed acquisitions by grant, purchase,
27 devise, descent, or otherwise of agricultural land in this
28 state shall be submitted to the department of agriculture to
29 determine whether such acquisition of agricultural land is
30 conveyed in accordance with the one percent restriction on
31 the total aggregate alien and foreign ownership of
32 agricultural land in this state. The department shall
33 establish by rule the requirements for submission and
34 approval of requests under this subsection.

35 4. Any rule or portion of a rule, as that term is
36 defined in section 536.010, that is created under the
37 authority delegated in this section shall become effective
38 only if it complies with and is subject to all of the
39 provisions of chapter 536 and, if applicable, section
40 536.028. This section and chapter 536 are nonseverable and
41 if any of the powers vested with the general assembly
42 pursuant to chapter 536 to review, to delay the effective
43 date, or to disapprove and annul a rule are subsequently
44 held unconstitutional, then the grant of rulemaking
45 authority and any rule proposed or adopted after August 28,
46 2014, shall be invalid and void.

47 **5. Any alien or foreign business shall not be able to**
48 **purchase or lease land within thirty miles from:**

49 **(1) Agricultural land;**

50 (2) Any military or air-force reservation, post,
51 arsenal, proving ground, range, mine field, camp, base,
52 airfield, fort, yard, station, district, or area;

53 (3) Any commercial establishment engaged in the
54 development or manufacture of classified military or naval
55 arms, munitions, equipment, designs, ships, aircraft, or
56 vessels for the United States Army, Navy, or Air Force.

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