

C L I F F O R D
C H A N C E

**US RESTRICTIONS ON FOREIGN
OWNERSHIP ANALYSIS**

U.S. Restrictions on Foreign Ownership Analysis

The surge in foreign ownership of real estate and agricultural land has sparked growing concerns, prompting both federal and state lawmakers to advocate for enhanced regulations and monitoring measures. This burgeoning interest in restricting foreign ownership is reflected in the increasing number of states implementing laws aimed at limiting the acquisition and transfer of, and investment in, U.S. real estate, particularly private agricultural land, by foreign individuals, entities, or governments. While no states currently enforce an outright ban on foreign ownership, many have begun to impose restrictions or limitations on foreign persons or entities seeking to acquire or hold interests in real estate and private agricultural land within their borders. However, the approach to these regulations varies significantly from state to state, lacking a standardized framework. The following analysis provides an introductory navigation through this complex landscape. Each state's constitutional and statutory provisions are outlined below in the chart, along with summaries of the restrictions, restricted groups, and any applicable exceptions. This chart has been compiled as of February 22, 2024.

JURISDICTION	RESTRICTIONS ON FOREIGN OWNERSHIP STATUTES	WHAT IS RESTRICTED? (Include direct and indirect interest info)	WHO IS RESTRICTED? (Include exceptions)	EFFECTIVE DATE	REPORTING DEADLINES	REPORTING REQUIREMENTS	CONSEQUENCES FOR FAILURE TO COMPLY
Alabama	Ala. Code § 35-1-1.1 (only agricultural and forest property)	<p>Foreign principals may not acquire title or a controlling interest in agricultural or forest property located within 10 miles of a military base or critical infrastructure facility.</p> <p>Agricultural and forest property: includes real property used for raising, harvesting, and selling crops or for the feeding, breeding, management, raising, sale of, or the production of livestock, or for the growing and sale of timber and forest products.</p> <p>Critical infrastructure facility: chemical manufacturing facility, refinery, no matter how generated or produced, water treatment facility or wastewater treatment plant, liquid natural gas terminal, a telecommunications central switching office, a gas processing plant, including any plant used in the processing, treatment, or</p>	<p>Foreign country of concern: China, Iran, North Korea, and Russia. Not Taiwan.</p> <p>Foreign principal: a political party and its members, a government, and any government official of China, Iran, North Korea, and Russia. Foreign principals also include countries or governments that are subject to any sanction list of the U.S. Office of Foreign Assets Control ("OFAC").</p> <p>Does not expressly extend to business entities that are owned or controlled by a foreign principal. Therefore, it is unclear whether the entities owned</p>	August 1, 2023		None listed	The law does not explicitly define the investigative authority, enforcement mechanism, or penalties for violations, leaving consequences for non-compliance currently unclear.

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		<p>fractionation of natural gas, seaport facility, aerospace or spaceport infrastructure, airport.</p> <p>Even though the law restricts foreign principals from acquiring a "controlling interest," this term is not defined under the statute. It is unclear whether a "controlling interest" includes leases and indirect investment.</p> <p>Grandfather clause: The restriction only applies to "the purchase of or other acquisition of title to real property on or after the effective date," which is August 1, 2023. Therefore, foreign principals with an ownership interest in agricultural land and forestland before that date may continue to hold their interest in that land.</p>	<p>or controlled by a government or country of a foreign principal are subject to the restriction prescribed under Alabama's foreign ownership law.</p> <p>EXCEPTIONS</p> <p>Exempts title insurers, agents, and settlement providers from liability.</p> <p>Stipulated that Taiwan was not part of China for the purposes of the law.</p>				
Alaska	No restrictions						
Arizona	<p>No restrictions specifically for foreign ownership. See notes below.</p> <p>General Prohibitions (only agricultural property):</p> <p>Ariz. Const., art. 10 § 11 (no individual, corporation or association shall be allowed to purchase more than one hundred sixty (160)</p>			<p>Ariz. Const., art. 10 § 1: February 14, 1912</p> <p>None listed for Ariz. Rev. Stat. Ann. § 37-240</p>	None listed	None listed	None listed

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	<p>acres of agricultural land or more than six hundred forty (640) acres of grazing land); Ariz. Rev. Stat. Ann. § 37-240 (No person may purchase more than six hundred forty acres of grazing land, or more than one hundred sixty acres of agricultural land. No sales, leases or subleases of state lands shall be made to corporations or associations not qualified to transact business in the state)</p> <p>*Note - House Bill 2376 "Agricultural Land; Foreign Ownership; Prohibition," which was to restrict sale and lease of state lands to foreign entities and any company headquartered in China, Russia, or Saudi Arabia and prevent countries on the State Department's list of State Sponsors of Terrorism from holding land, died as of March 1st, 2023.</p>						

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Arkansas	<p>Ark. Code Ann. § 18-11-110; Ark. Code Ann. §§ 18-11-801; 18-11-802; 18-11-803; 18-11-804; 18-11-701; 18-11-702; 18-11-703; 18-11-704; 18-11-705</p> <p>Reporting: Ark. Code Ann. § 2-3-111</p>	<p>There are two separate prohibitions on foreign investments: (1) a restriction on agricultural land investments and (2) a restriction on certain foreign business entities from acquiring any real property located within the state.</p> <p>(1) Restriction on Agricultural Land: Section 18-11-803(a)(1) of Arkansas' foreign ownership law prohibits a Prohibited Foreign Party ("PFP") from acquiring any interest in agricultural land within the state, regardless of the intended use of the land.</p> <p>The law does not specify whether "agricultural land" includes public land, private land, or both.</p> <p>No grandfather clause: there is some uncertainty as to whether PFPs may continue to hold agricultural land they acquired before the effective date of the law.</p> <p>Interest in agricultural land is defined as a "direct interest acquired, transferred, or held in agricultural land," which is not further defined.</p> <p>The restriction also applies to leaseholds for one year or longer. This extends to leases that have an option to renew for one year or</p>	<p>PFP: Governments, individuals that are citizens or residents, and legal entities organized under the laws of a country subject to the federal International Traffic in Arms Regulations ("ITAR") such as Afghanistan, Belarus, Cuba, Iran, Iraq, Libya, N. Korea, Syria, Vietnam, Myanmar (formerly Burma), China, Haiti, Liberia, Rwanda, Somalia, Sudan, or Democratic Republic of the Congo (formerly Zaire); entities, including U.S. entities, where a "significant interest or substantial control is directly or indirectly held or is capable of being exercised by" a party, or any combination of the parties, referred above; "Entities of Particular Concern" as designated by the U.S. Secretary of State; and agents, trustees, or other fiduciaries of individuals, governments, or</p>	<p>Both restrictions: August 1, 2023</p> <p>Reporting: October 1, 2021</p>	<p>Within 90 days of acquiring, transferring, or holding interest in agricultural land.</p>	<p>Beginning October 1, 2021, a foreign person required to make a report to the United States Department of Agriculture under the Agricultural Foreign Investment Disclosure Act, 7 U.S.C. § 3501 et seq., shall also file a copy of the required report with the Secretary of the Department of Agriculture within the time period required under the federal law.</p>	<p>Two separate entities can investigate and enforce the restriction: the Office of Agricultural Intelligence ("OAI") and the state's attorney general.</p> <p>If an investigation leads the attorney general to suspect a violation has occurred, the law requires the attorney general to initiate a legal action against the PFP in the jurisdiction where the agricultural land is located. If a court finds that a violation has occurred, the law requires the court to order the agricultural land to be sold through judicial foreclosure. Additionally, PFPs that are convicted of violating the restriction are guilty of a felony that carries a penalty of up to two years imprisonment and/or a \$15,000 fine.</p> <p>Enforcement actions, as demonstrated in the <i>Syngenta Seeds</i> case (see below), include divestment orders and penalties.</p> <p>CONSEQUENCES FOR FAILURE TO REPORT:</p> <p>Civil penalties up to 25% of the fair market value of the interest in the agricultural land, legal action for collection of penalties.</p> <p>Violations should be reported to the attorney general. If the court finds the land in violation, it must be divested within 2 years. Also, the court can then charge a fee of up to 25% the market value of the land. For a resident alien that ceases to be a resident, they have two years to register, or the enforcement/punishment is the same as above.</p> <p>RECENT CASES:</p> <p>On October 17, 2023, Arkansas' attorney general ordered Syngenta Seeds, a company ultimately owned by the Chinese Communist Party (CCP) and controlled by ChemChina, to divest its ownership interest</p>

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		<p>more and a PFP exercises that option.</p> <p>2. Restriction on Investment in Real Property: Prohibits a Prohibited Foreign-Party-Controlled Business ("PFPCB") from acquiring any interest in public or private real property within the state. (Ark. Code Ann. § 18-11-110(b)(1))</p> <p>PFPCB: corporation, company, association, firm, partnership, society, joint-stock company, trust, estate or other legal entity whose "controlling interest" is owned by a prohibited foreign party.</p> <p>Controlling interest: as an interest of 50% or more in the aggregate. Therefore, if a single PFP or multiple PFPs hold, in the aggregate, an interest of at least 50% in a business entity, that entity is classified as a PFPCB. As a result, such entity would be prohibited from acquiring an interest in any Arkansas real property.</p>	<p>entities specified above.</p> <p>EXCEPTIONS TO RESTRICTIONS ON AGRICULTURAL LAND</p> <p>Resident Aliens Exemption: Section 804(a) of the law expressly exempts "resident aliens", which are non-U.S. citizens who reside within the U.S., from the restriction. Specifically, the law grants PFP resident aliens the right to invest in agricultural land within the state in the same manner as U.S. citizens "during the continuance of his or her residence in the State of Arkansas." In other words, a PFP with a principal dwelling located within Arkansas is not subject to the restriction and may invest in agricultural land within the state. However, once a PFP resident alien no longer resides in Arkansas, they are required to divest any interest they hold in agricultural land within two</p>				<p>in about 160 acres of agricultural land for failing to register under the reporting requirement.</p> <p>The company's subsidiary was also fined \$280,000 in civil penalties because Syngenta failed to register as a foreign agricultural landowner.</p> <p>ChemChina is listed by the Department of Defense as a Chinese military company carrying threat potential to the U.S..</p>

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			<p>years. If they fail to do so, the state's attorney general is authorized to file a lawsuit seeking judicial foreclosure on the agricultural land held in violation of the law.</p> <p>Interests in Minerals underlying farmland: Section 802(1)(B) expressly excludes minerals such as oil and gas from the definition of "agricultural land".</p>				
California	<p>No restrictions. See notes below.</p> <p>*Note – Senate Bill 1084 proposed prohibiting a foreign government from purchasing, acquiring, leasing, or holding a controlling interest in agricultural land in the state. This bill was vetoed on September 27th, 2022. Senate Bill 224 that would have prevented foreign governments from purchasing agricultural land also died in 2023.</p>						

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Colorado	<p>No restrictions. See notes below.</p> <p>*Note - On January 31, 2023, HB 23-1152 was proposed, which sought to restrict nonresident aliens, foreign business entities, and foreign governments of China, Russia, or any country declared a "state sponsor of terrorism" determined by the U.S. Secretary of State from acquiring a "controlling ownership share" in agricultural land, mineral rights, or water rights. This bill failed on February 23, 2023.</p>						
Connecticut	<p>No restrictions</p> <p>Conn. Gen. Stat. Ann. § 47-7a (permitting any alien to hold and acquire real estate)</p>						
Delaware	<p>No restrictions</p> <p>Del. Code Ann. tit. 25, § 305 -306 (permitting aliens to hold and acquire real estate)</p>						

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Florida	<p>Fla. Stat. Ann. §§ 692.201-205.</p> <p>*Note- On February 1, 2024 the Court of Appeals for the 11th Circuit granted a preliminary injunction in favor of several Chinese plaintiffs to temporarily enjoin enforcement of this law on grounds that it is pre-empted by FIRRMA (the federal law authorizing CFIUS to review inbound investments), as well as the Equal Protection Clause of the 14th Amend. The matter is now set for an oral argument in April, and could potentially end up being heard by the US Supreme Court.</p> <p>*Note- On February 21, 2024 the state Senate Rules Committee approved amendments to SB 264 that refined the restricted ownership interests in real property and agricultural land, by adding a definition for "controlling interest" and "de minimus indirect</p>	<p>AGRICULTURAL LAND:</p> <p>A foreign principal may not directly or indirectly own, have a controlling interest in, or acquire by purchase, grant, devise, or descent agricultural land or any interest, except a de minimus indirect interest, in such land in this state. (Section 5, Section 692.202(1))</p> <p>Limited/Temporary Exception: A foreign principal may acquire agricultural land on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of the agricultural land within 3 years after acquiring the agricultural land. (Section 5, Section 692.202(4))</p> <p>REAL PROPERTY:</p> <p>A foreign principal may not directly or indirectly own, or have a controlling interest in, or acquire by purchase, grant, devise, or descent any interest, except a de minimus indirect interest, in real property on or within 10 miles of any military installation or critical infrastructure facility in this</p>	<p>Foreign countries of concern: China, Russia, Iran, North Korea, Cuba, Venezuela, and Syria. Including any agency of or any other entity of significant control of such foreign country of concern. (Section 4, Section 692.201(3))</p> <p>Foreign principal: (a) the government or any official of the government of a foreign country of concern; (b) a political party or member of a political party or any subdivision of a political party in a foreign country of concern; (c) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity; (d) any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent resident</p>	July 1, 2023	<p>AGRICULTURAL LAND:</p> <p>A foreign principal that directly or indirectly owns or acquires agricultural land or any interest in such land in this state before July 1, 2023, must register with the Department of Agriculture and Consumer Services ("DACS") by January 1, 2024. (Section 5, Section 692.202(3)(a))</p> <p>REAL PROPERTY:</p> <p>A foreign principal that directly or indirectly owns or acquires any interest in real property on or within 10 miles of any military installation or critical infrastructure facility in this state before July 1, 2023, must register their properties</p>	<p>AGRICULTURAL LAND:</p> <p>The DACS has a proposed form for registration by a foreign principal acquiring agricultural land, which, at minimum, must include all of the following: (1) the name of the owner of the agricultural land or the owner of the interest in such land; (2) the address of the agricultural land, the property appraiser's parcel identification number, and the property's legal description; and (3) the number of acres of the agricultural land. (Section 5, Section 692.202(3)(a))</p> <p>At the time of purchase, a buyer of agricultural land or an interest in such land must provide an affidavit signed under penalty of perjury attesting that the buyer is: (1) not a foreign principal; and (2) in compliance with the requirements of</p>	<p>AGRICULTURAL LAND:</p> <p>A foreign principal that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. The department may place a lien against the unregistered agricultural land for the unpaid balance of any penalties assessed. (Section 5, Section 692.202(3)(b))</p> <p>The agricultural land or an interest in such land that is owned or acquired in violation of this law may be forfeited to the state. (Section 5, Section 692.202(6)(a))</p> <p>If the court finds that the agricultural land, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the agricultural land in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens. (Section 5, Section 692.202(6)(d))</p> <p>The DACS may sell the agricultural land subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the DACS must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner. (Section 5, Section 692.202(6)(e))</p> <p>A foreign principal that purchases or acquires agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 (imprisonment not exceeding 60 days.) or</p>

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	<p>interest" to provide clarity. The status of this bill is open as of February 22, 2024.</p>	<p>state. (Section 6, Section 692.203(1))</p> <p>Limited/Temporary Exception: A foreign principal may acquire real property or any interest therein which is on or within 10 miles of any military installation or critical infrastructure facility in this state on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of such real property within 3 years after acquiring the real property. (Section 6, Section 692.203(5))</p> <p>CHINA:</p> <p>The persons or entities defined as a Chinese Restricted Party (defined under "CHINA" in the next column) may not directly or indirectly own, have a controlling interest in, or acquire by purchase, grant, devise, or descent any interest, except a de minimus indirect interest, in real property in this state. (Section 7, Section 692.204(1)(a)(1-5))</p>	<p>of the United States; or (e) any person, entity, or collection of persons or entities, described in paragraphs (a) through (d) having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property in this state. (Section 4, Section 692.201(4))</p> <p>Effects Agricultural Land and Real Property:</p> <p>A foreign principal or a Chinese Restricted Party (as defined under "CHINA" below), as applicable, has a de minimus indirect interest for agricultural land and real property if any ownership is the result of the foreign principal's or a Chinese Restricted Party's ownership, of registered equities in a publicly traded company owning the land and if the foreign principal's or a Chinese Restricted Party's ownership</p>		<p>with the Department of Commerce ("DOC") by December 31, 2023. (Section 6, Section 692.203(3)(a-b))</p> <p>CHINA:</p> <p>A person or entity that owns or acquires more than a de minimus indirect interest in real property in this state must register the property or property interests owned or acquired before July 1, 2023, with the DOC by December 31, 2023. The registration is considered to be late 30 days after January 31, 2024. (Section 7, Section 692.204(4)(b))</p> <p>A person or entity that owns or acquires real property or an interest in real property as authorized under</p>	<p>the law. (Section 5, Section 692.202(5)(a))</p> <p>REAL PROPERTY:</p> <p>The DOC has a proposed form for such registration which, at a minimum, must include all of the following: (1) the name of the owner of the real property; and (2) the address of the real property, the property appraiser's parcel identification number, and the property's legal description. (Section 6, Section 692.203(3)(a))</p> <p>At the time of purchase, a buyer of the real property that is on or within 10 miles of any military installation or critical infrastructure facility in this state must provide an affidavit signed under penalty of perjury attesting that the buyer is: (1) not a foreign principal or not a foreign principal prohibited from purchasing the subject real property; and (2) in</p>	<p>s. 775.083 (\$500 fine). (Section 5, Section 692.202(7))</p> <p>A person who knowingly sells agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775. (imprisonment not exceeding 60 days.) or s. 775.083 (\$500 fine). (Section 5, Section 692.202(8))</p> <p>COVERS GENERAL REAL PROPERTY AND CHINA: (Under Sections 6 & 7)</p> <p>A foreign principal, or a Chinese Restricted Party, that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. (Section 6, Section 692.203(3)(b); Section 7, Section 692.204(4)(b))</p> <p>If any real property is owned or acquired in violation of the law, the real property may be forfeited to the state. (Section 6, Section 692.203(7)(a); Section 7, Section 692.204(7)(a))</p> <p>The DOC may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the real property or any interest therein. (Section 6, Section 692.203(7)(b); Section 7, Section 692.204(7)(b))</p> <p>If the court finds that the real property, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the real property in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens. (Section 6, Section 692.203(7)(d); Section 7, Section 692.204(7)(d))</p>

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			<p>interest in the company is either: (a) less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or (b) a noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity. (Section 5, Section 692.202(1); Section 6, Section 692.203(1); Section 7, Section 692.204(1)(b)(1-2))</p> <p>A foreign principal, or Chinese Restricted Party, that directly or indirectly owns or acquires (x) agricultural land or (y) any interest in real property on or within 10-miles of any military installation or critical infrastructure facility,</p>		<p>subsection 692.204(2) or subsection 692.204(5), other than a de minimus indirect interest, on or after July 1, 2023, must register the real property or interest within 30 days after the property or interest is owned or acquired. (Section 7, Section 692.204(4)(b))</p>	<p>compliance with the requirements of the law. (Section 6, Section 692.203(6)(a))</p> <p>CHINA:</p> <p>A person or entity described in this section must register with the DOC if the person or entity owns or acquires more than a de minimus indirect interest in real property in this state. (Section 7, Section 692.204(4)(a))</p> <p>The DOC has a proposed form for such registration which, at a minimum, must include all of the following: (1) the name of the owner of the real property; and (2) the address of the real property, the property appraiser's parcel identification number, and the property's legal description. (Section 7, Section 692.204(4)(a)(1-2))</p> <p>At the time of purchase, a buyer of real property in Florida must provide an affidavit</p>	<p>The DOC may sell the real property subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the DOC must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner. (Section 6, Section 692.203(7)(e); Section 7, Section 692.204(7)(e))</p> <p>REAL PROPERTY: (Under Section 6 Only)</p> <p>A foreign principal that purchases or acquires real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 (imprisonment not exceeding 60 days.) or s. 775.083 (\$500 fine). (Section 6, Section 692.203(8))</p> <p>A person who knowingly sells real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 (imprisonment not exceeding 60 days.) or s. 775.083 (\$500 fine). (Section 6, Section 692.203(9))</p> <p>REAL PROPERTY EFFECTING CHINA ONLY: (Under Section 7)</p> <p>A violation of this section constitutes a felony of the third degree, punishable as provided in s. 775.082 (imprisonment not exceeding 5 years), s. 775.083 (\$5,000 fine), or s. 775.084 (habitual felony - imprisonment not exceeding 10 years). (Section 7, Section 692.204(8))</p> <p>A person who knowingly sells real property or any interest therein in violation of this section commits a misdemeanor of the first</p>

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			<p>such land in Florida before July 1, 2023, may continue to own or hold such land or interest or real property, as applicable, but may not purchase or otherwise acquire by grant, devise, or descent any additional (x) agricultural land or interest in such land or (y) in real property on or within 10-miles of any military installation or critical infrastructure facility, in Florida. (Section 5, Section 692.202(2); Section 6, Section 692.203(2); Section 7, Section 692.204(3))</p> <p>Limited Exception: A foreign principal, including from China, who is a natural person (i.e., individuals who have non-tourist visas or been granted asylum) can purchase one residential property (i.e., two acres or less) if it is more than five miles from any military installation. The purchase must be in the name of the</p>			<p>signed under penalty of perjury attesting that the buyer is: (1) not a Chinese Restricted Party or that the buyer is a Chinese Restricted Party but is authorized under subsection 692.204(2) to purchase the subject property; and (2) in compliance with the requirements of this section. (Section 7, Section 692.204(6)(a)(1-2))</p>	<p>degree, punishable as provided in s. 775.082 (imprisonment not exceeding 1 year) or s. 775.083 (\$1,000 fine). (Section 7, Section 692.204(9))</p>

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			<p>person who holds the visa or official documentation. (Section 6, Section 692.203(4a-c); Section 7, Section 692.204(2)(a-c))</p> <p>CHINA:</p> <p>The following persons or entities may not directly or indirectly own, have a controlling interest in, or acquire by purchase, grant, devise, or descent any interest, except a de minimus indirect interest, in real property in this state (each a "Chinese Restricted Party"): (1) the People's Republic of China, the Chinese Communist Party, or any official or member of the People's Republic of China or the Chinese Communist Party; (2) any other political party or member of a political party or a subdivision of a political party in the People's Republic of China; (3) a partnership, an association, a corporation, an organization, or any other combination of</p>				

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JURISDICTION	RESTRICTIONS ON FOREIGN OWNERSHIP STATUTES	WHAT IS RESTRICTED? (Include direct and indirect interest info)	WHO IS RESTRICTED? (Include exceptions)	EFFECTIVE DATE	REPORTING DEADLINES	REPORTING REQUIREMENTS	CONSEQUENCES FOR FAILURE TO COMPLY
			<p>persons organized under the laws of or having its principal place of business in the People's Republic of China, or a subsidiary of such entity; (4) any person who is domiciled in the People's Republic of China and who is not a citizen or lawful permanent resident of the United States; or (5) any person, entity, or collection of persons or entities described in subparagraphs 1. through 4. having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property in this state. (Section 7, Section 692.204(1)(a)(1-5))</p> <p>Limited/Temporary Exception: A Chinese Restricted Party may acquire real property in this state on or after July 1, 2023, by devise or descent, through the enforcement of</p>				

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			security interests, or through the collection of debts, provided that the person or entity sells, transfers, or otherwise divests itself of such real property within 3 years after acquiring the real property , unless the person or entity is exempt under s. 692.205 (i.e., inapplicable to a foreign principal that acquires real property for a diplomatic purpose that is recognized, acknowledged, or allowed by the Federal Government). (Section 7, Section 692.204(5))				
Georgia	No restrictions. See notes below. *Note - Proposed law passed in the Senate (SB132 - 3/2/2023) but failed in the House (HB452 - 3/29/2023); status: open. An additional proposed law was read in the House (HB245 - 2/8/2023); status: open						

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Hawaii	No restrictions. See notes below. *Note - Proposed laws were referred to the Water & Land Committee and the Consumer Protection & Commerce Committee (HB505 - 1/27/2023) and (HB929 - 1/30/2023); status: open.						
Idaho	Idaho Code Ann. § 55-103; Idaho Code Ann. § 58-313	Foreign government and a foreign state-controlled enterprise are prohibited from purchasing, acquiring, or holding a controlling interest in Idaho agricultural land, water rights, mining claims, or mineral rights. Controlling interest: (i) an ownership interest in an entity that is more than 50%, or (ii) 50% or less ownership interest in an entity, but a foreign government "directs the business and affairs of the entity without the requirement or consent of any other party." Agricultural land: land actively devoted to agricultural purposes as provided in I.C. § 63-604. Mineral right as defined under I.C. § 47-701. Water right: a legal right to the "use of water for	Foreign government: a government other than the U.S. government and the governments of any U.S. state, territory, or possession. State-controlled enterprise: business entities and wealth or investments funds in which a foreign government has a controlling interest. Accordingly, an entity is a "state-controlled enterprise" if a foreign government owns 50.1% or more interest in the enterprise, or an interest 50% or less in the business entity whose business decisions	April 3, 2023	None listed	None listed	The law is silent on enforcement. The absence of specific enforcement and reporting procedures in the law suggests that the practical implications and regulatory mechanisms are still to be fully established.

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		<p>beneficial purposes." (I.C. § 42-230(e))</p> <p>Mineral claim: a portion of land containing minerals that a miner has a right to occupy and possess for the purpose of extracting minerals.</p> <p>Grandfather clause: foreign governments and foreign state-controlled enterprises that held an interest in agricultural land, water and mineral rights, and mining claims before April 2, 2023, may continue to own those rights and lands without being in violation of the law.</p> <p>Idaho Code § 58-313: Public lands can only be purchased by people who are U.S. citizens or have declared their intention to become U.S. citizens.</p>	<p>are controlled by a foreign government.</p> <p>EXCEPTIONS:</p> <p>Foreign Pension Fund Exemption: an entity or trust—created under the laws of a foreign government—which provides retirement or pension fund benefits are exempt. This definition expressly excludes trusts and entities "owned by or subject to a controlling interest of a sovereign wealth fund" (i.e., a state-owned investment fund).</p>				
Illinois	<p>No restrictions. See notes below.</p> <p>*Note - Proposed law was referred to the Rules Committee (HB2125 - 2/7/2023); status: open.</p> <p>Additional proposed laws were referred to the Rules Committee (HB2930 - 3/10/2023) and (HB1267 - 3/10/2023); status: open.</p>						

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Indiana	2023 Ind. Legis. Serv. P.L. 118-2023, Sec 3. (West); Ind. Code Ann. § 1-1-16	<p>After June 30, 2023, a qualified entity may not enter into an agreement relating to critical infrastructure with a company if: (1) under the agreement, the company would be able to directly or remotely access or control critical infrastructure or a cybersecurity system of a critical infrastructure; and (2) a company as defined. (IC Ann. § 1-1-16-9)</p> <p>The prohibition of an agreement concerning critical infrastructure applies regardless of whether: (1) the securities of the company, or of the company's parent company, are publicly traded; or (2) the company or the company's parent company is listed as a company of a country designated as a threat by the governor or a Chinese, Iranian, North Korean, or Russian company on a public stock exchange; as applicable. (IC Ann. § 1-1-16-9)</p> <p>After June 30, 2023, a prohibited person may not purchase, lease, or acquire a parcel of real property that is: (1) located in Indiana; and (2) directly adjacent to a military installation. (IC Ann. § 1-1-16-10)</p>	<p>A "prohibited person" means either of the following: (1) an individual who is a citizen of China, Iran, North Korea, Russia, or a country designated as a threat to critical infrastructure by the governor; or (2) a company as defined below. (IC Ann. § 1-1-16-6)</p> <p>A "company" is: (A) owned by, or the majority of stock or other ownership interest of the company is held or controlled by: (i) individuals who are citizens of China, Iran, North Korea, Russia, or a country designated as a threat to critical infrastructure by the governor; or (ii) a company or other entity, including a governmental entity, that is owned or controlled by citizens of, or is directly controlled by the government of, China, Iran, North Korea, Russia, or a country designated as a threat to critical infrastructure by the governor; or (B) headquartered in</p>	July 1, 2023	None listed	None listed	<p>The attorney general may investigate the purchase, lease, or acquisition of real property upon receipt of a complaint alleging a violation of this statute. (IC Ann. § 1-1-16-11(a))</p> <p>A purchase, lease, or acquisition of a parcel of real property in violation of the statute is subject to divestiture pursuant to section 11 of this chapter. (IC Ann. § 1-1-16-10)</p> <p>The attorney general shall enforce such violations by commencing a receivership proceeding under IC 32-30-5-1 and selling the property through the receivership. The following apply to a receivership proceeding thereunder: (1) proceeds of the sale shall be disbursed to lienholders, in their order of priority, except for liens which under the terms of the sale are to remain on the property; (2) at the receivership sale, lienholders shall be able to have a credit bid; (3) no proceeds shall be distributed from the receivership sale to the prohibited person. Any excess proceeds are forfeited and shall be transferred to the state general fund by the receiver; and (4) upon commencement of such action, the attorney general shall promptly file a notice of lis pendens with the clerk of court. Upon the entry order for the sale of the property under this section, the attorney general shall promptly record a copy of the order in the office of the recorder of the county where the property is located. (IC Ann. § 1-1-16-11(b)(1-4))</p> <p>The responsibility for determining whether an individual or other entity is subject to this statute rests solely with the prohibited person and the attorney general and no other individual or entity. An individual or other entity who is not a prohibited person shall bear no civil or criminal liability for failing to determine or make inquiry of</p>

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			<p>China, Iran, North Korea, Russia, or a country designated as a threat to critical infrastructure. (IC Ann. § 1-1-16-6)</p> <p>A "qualified entity" means any of the following: (1) a business corporation, a nonprofit corporation, a general partnership, a limited partnership, a limited liability company, an estate, a trust, an association, a joint venture, or any other legal or commercial entity; (2) a state agency (as defined in IC 1-1-15-3); or (3) a political subdivision (as defined in IC 36-1-2-13). (IC Ann. § 1-1-16-7)</p> <p>A "critical infrastructure" means any part of: (1) a facility, structure, or station listed in IC 35-46-10-1(a); or (2) a military installation; that is located in Indiana.</p>				<p>whether an individual or other entity is a prohibited person. (IC Ann. § 1-1-16-11(c))</p> <p>Divestiture of a prohibited person's title shall not be a basis to void, invalidate, or otherwise extinguish any bona fide mortgage, lien, or other interest granted by, through, or under the prohibited person. (IC Ann. § 1-1-16-11(d))</p>
Iowa	No restrictions. See notes below.						

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	<p>*Note - Proposed laws were introduced in the House (HF211 - 2/7/2023), (HF542 - 3/1/2023), and (HF642 - 3/7/2023); status: open.</p> <p>An additional proposed law failed but was re-referred to the Ways and Means Committee (HF574 - 5/4/2023); status: open.</p>						
Kansas	<p>No restrictions on foreign ownership but bills under review. See notes below.</p> <p>Anti-corporate farming law: Kan. Stat. Ann. § 17-5904</p> <p>Reporting:</p> <p>Business entity information reports § 17-5902 to 5905</p> <p>*Note - Senate Bill 446, which would prohibit acquisitions of certain real property by foreign individuals and entities unless authorized by the State land council was introduced 2/07/2024; status: open.</p> <p>House Bill 2397, which would restrict</p>	<p>Anti-corporate farming law: No corporation, trust, LLC, limited partnership or corporate partnership other than a family farm corporation shall either directly or indirectly, own, acquire or otherwise obtain or lease any agricultural land in this state. (Kan. Stat. Ann. § 17-5904)</p>				<p>§ 17-5902 to 5905: All corporations have to report acquisition of agricultural land over 10 acres to the secretary of state, or they can be charged with a Class A Misdemeanour.</p>	None listed

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	<p>conveyance of certain real property to foreign adversaries, was introduced 2/10/2023; status: open.</p> <p>Senate Bill 100, which would prohibit ownership in certain real property by foreign individuals and entities, was introduced 1/24/2023; status: open.</p>						
Kentucky	<p>No restrictions. See notes below.</p> <p>*Note – Proposed law passed in the House (HB500 – 3/8/2023) but was referred back to the Agriculture Committee in the Senate (HB500 – 3/16/2023); status: open.</p>						
Louisiana	La. Stat. Ann. § 9:2717.1	<p>Foreign adversary and a person connected with a foreign adversary are prohibited from directly or indirectly owning, acquiring, leasing, or otherwise obtaining any interest in Louisiana immovable property.</p> <p>Grandfather Clause: This restriction does not apply to landholdings and leases of land before August 1, 2023.</p>	<p>Foreign adversary: means an individual or a government identified as a foreign adversary in 15 CFR 7.4(a) and identified in the database maintained by the United States Department of Treasury, Office of</p>	August 1, 2023	None listed	None listed	<p>Attorney general may bring an action, and if the court finds that a foreign adversary or person connected with a foreign adversary has purchased, leased, or otherwise acquired property in Louisiana after August 1, 2023, the court may do one of the following: (a) order that the foreign adversary's interest in the property be sold to a person who is not a foreign adversary or to a person who is not connected to a foreign adversary, (b) order that the foreign adversary or person connected with a foreign adversary's interest in the property be sold at a judicial sale in accordance with</p>

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		<p>Contracts for the purchase or lease of real property or the renewal of existing leases that were in place prior to August 1, 2023 are also exempt from the restriction.</p>	<p>Foreign Assets Control.</p> <p>The current list of foreign adversaries includes China, Hong Kong, Cuba, Iran, North Korea, Russia, and Maduro Regime. ((Venezuela). 15 C.F.R. § 7.4(a))</p> <p>Person connected with a foreign adversary: the juridical person, as defined in Civil Code Article 24, in which the foreign adversary has the power to direct or cause the direction of the management or policies of the juridical person whether through ownership of securities, by contract, or otherwise. A person or entity that directly or indirectly has the right to vote fifty percent or more of the voting interests of an entity or is entitled to fifty percent or more of its profits is presumed to have the power to direct or cause the direction of the management or</p>				<p>the requirements of Code of Civil Procedure Article 2331 et seq.</p>

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			<p>policies of the juridical person.</p> <p>EXCEPTIONS:</p> <p>(1) A natural person who is an American citizen, regardless of whether the United States citizenship was acquired by birth or the United States citizenship was granted to a person after meeting the requirements established by the United States Congress in the Immigration and Nationality Act, 8 U.S.C. 1158, et seq.</p> <p>(2) A person who is not a United States citizen but is a permanent legal resident or is lawfully present in the United States by virtue of authorization by the United States Department of Homeland Security.</p> <p>(3) A juridical person, as defined in Civil Code Article 24, that is wholly owned by persons who qualify under Paragraphs (1) and (2) of this subsection.</p> <p>(4) Immovable property purchased,</p>				

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			<p>leased, or otherwise acquired by a natural person that is used as a one to four family residential property.</p> <p>(5) A juridical person that owned and conducted oil and gas operations located in Louisiana prior to July 1, 2023, and that is granted permission by a General License issued by the United States Department of the Treasury, Office of Foreign Assets Control (OFAC General License) and that purchases or acquires property in Louisiana with a party or parties that are subject to the OFAC General License.</p>				
Maine	<p>No restrictions</p> <p>Reporting: Me. Rev. Stat. tit.7, §§ 31, 32, 33, 34, 35, 36</p>				Within 90 days of acquisition.	<p>Me.Rev.Stat. tit. 7 §33: Corporations and partnerships that acquire agricultural land have to submit an annual report to the commissioner within 90 days of acquisition (they can submit their federal AFIDA report).</p>	<p>Me.Rev.Stat. tit. 7 §36: The maximum fine for not reporting or inaccurately reporting is \$50 a day.</p>

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						<p>EXCEPTIONS</p> <p>1. Family farm corporation or partnership. A family farm corporation or farm partnership as defined in section shall not be required to comply with the reporting requirements in section.</p> <p>2. Ten-acre exemption. A corporation or partnership owning less than 10 acres of land, which is the subject of a single acquisition or transfer, is not required to comply with the reporting requirements in section 33.</p>	
Maryland	<p>No restrictions. See notes below.</p> <p>*Note – Proposed law was introduced in the House and withdrawn by sponsor (HB842 – 3/18/2023); status: closed.</p> <p>An additional proposed law was scheduled for a hearing (HB968 – 2/13/2023); status: open.</p>						

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Massachusetts	No restrictions Mass. Gen. Laws Ann. ch. 184, §1 (permitting that aliens (foreign individuals) may take, hold, transmit, and convey real property, and no title to real property shall be invalid on account of the alienage)						
Michigan	No restrictions. See notes below. *Note – Proposed laws were introduced in the House and Senate (HB4134 – 2/22/2023), (HB4283 – 3/14/2023), (HB4329 – 3/23/2023), (HB4881 – 6/28/2023), (SB260 – 4/12/2023), and (SB270 – 4/19/2023); status: open.						
Minnesota	Minn. Stat. Ann. § 500.221 (only agricultural land)	Direct and indirect ownership or any other interest in land zoned as agricultural by foreign natural persons or business entities is prohibited.	Natural persons except citizens or permanent residents of the United States are restricted from direct or indirect ownership of agricultural land; business entities are restricted unless it	2010	Only the following must provide annual reports: (i) was grandfathered in before June 1, 1981;	If applicable via treaty or easement, reports must be made to the commissioner of agriculture by December 31 of each year containing a description of all	After an investigation by the commissioner of agriculture, referred to the district court, land will be required to be divested within one year and will be sold at a public sale if the divestiture deadline is not met.

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			has less than 20% foreign interest (at least 80% of each class of stock issued and outstanding or 80% of the ultimate beneficial interest of the entity must be directly or indirectly held by citizens or permanent resident aliens of the United States).		(ii) have rights to own land secured by treaty; or (iii) have an easement for the installation or repair of transmission lines and for wind rights.	agricultural interests held. If applicable via grandfather clause, reports must be made to the commissioner of agriculture by January 31 of each year containing a description of all agricultural land, the purchase price and market value, the use, and the date of acquisition.	
Mississippi	Miss. Code Ann. §§ 11-39-1 to 11-39-3, 29-1-75, 89-1-23. See notes below. *Note: Bill passed establishing a committee to examine foreign land ownership in the state (HB 280, passed March 22, 2023).	1. Direct ownership of land by individual nonresident aliens is generally prohibited, but individual nonresident aliens may acquire up to 320 acres of land for the purposes of industrial development or up to 5 acres of land for residential purposes. 2. Direct or indirect ownership of public land by corporations and nonresident aliens is prohibited. This law will be repealed on July 1, 2026.	1. Direct ownership of land by individual nonresident aliens is generally prohibited. (Note that a MS Attorney General's Opinion addressed to Commissioner of Agriculture, May 9, 2023 suggested that the law does not extend to corporations). 2. Direct or indirect ownership of public land by corporations and nonresident aliens is prohibited.	November 17, 2022	None listed	None listed	Land held improperly will escheat to the state.
Missouri	Mo. Rev. Stat. §§ 442.560, 442.571, 442.591 (only agricultural land). See notes below. *Note: Proposed bill eliminating foreign	Direct and indirect ownership of agricultural land by aliens and foreign businesses is restricted if the total of foreign owned land in the state exceeds 1% of land, unless the land	Aliens (non-citizens or residents of the U.S.) and foreign businesses (where a controlling interest is owned by aliens) are restricted from owning agricultural	August 28, 2015	Sales or transfers of agricultural land must be reported to the director of the MO Department of	Acquisitions of agricultural land must be submitted to the director of the MO Department of Agriculture to determine whether	A civil penalty set by the circuit court not in excess of 25% of the fair market value of the land interest will be assessed and recovered by the attorney general if a required report is not filed.

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	ownership of land (SB 9); status: open. Proposed bill reducing the amount of land to be owned to 0.5% (SB 55); status: open.	is being used for non-agricultural purposes.	land. "Aliens" and "foreign business" are not further defined.		Agriculture within 30 days of the date of acquisition or transfer.	it complies with the 1% rule.	
Montana	2023 MT SB 203, to be codified under Mont. Code Ann. Tit. 35	Direct ownership by foreign adversaries or corporations where a foreign adversary or corporation has a controlling interest of: (i) critical infrastructure (systems and assets "so vital to the United States that the incapacity or destruction of the systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters"); (ii) land used for agricultural production ("the production of any growing grass, crops, or trees attached to the surface of the land or farm animals with commercial value"); or (iii) real property that has a direct line of sight to a military installation are all restricted.	Foreign adversaries as defined by Executive Order no. 13873 of May 15, 2019 (any foreign government or foreign non-government person engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons) and corporations where a foreign adversary has a controlling interest are restricted from direct ownership of land used for agricultural purposes, critical infrastructure, or real property that has a direct line of sight to a military installation.	October 1, 2023	None listed	None listed	A foreign adversary or corporation that violates the statute must divest within one year after a suit brought by the attorney general or county, after which the land may be sold at a public auction by the county sheriff.
Nebraska	Neb. Rev. Stat. §§ 76-402, 76-404, 76-406, 76-407	Direct and indirect ownership of real estate by aliens and non-domestic corporations is restricted, except for:	Aliens and non-domestic corporations (corporations not incorporated in	1939	None listed	None listed	Any corporation violating the alien provisions will forfeit its right to do business in Nebraska. No consequence for aliens failing to comply stated.

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		(i) acquisition of real estate necessary for erecting and operating manufacturing or industrial establishments, or (ii) any real estate lying within the corporate limits of cities and villages or within three miles thereof is restricted, or (iii) any leases for oil, gas, or other hydrocarbon substances.	Nebraska) are generally restricted from ownership of real estate. Any corporation permitted to hold real estate in Nebraska must not have a majority of its board members be aliens.				
Nevada	No restrictions Nev. Rev. State. Ann. § 111.055 (permitting any nonresident alien, person or corporation to take and hold any real property)						
New Hampshire	No restrictions N.H. Rev. Stat. Ann. § 477:20 (permitting alien residents to hold real property)						
New Jersey	No restrictions. See notes below. N.J. Stat. Ann. § 46:3-18 (permitting aliens to hold real property) <i>*Note:</i> Bill introduced in committee that prohibits ownership of agricultural land by foreign						

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	governments and persons (A 5120, S 3534, A 5383); status: open.						
New Mexico	No restrictions						
New York	<p>No restrictions. See notes below.</p> <p>N.Y. Real Prop. Law. § 10 (permitting noncitizens to hold real property)</p> <p>*Note: Bills introduced that have not made it past committee, prohibiting ownership of real property by governments, entities, or citizens of countries of "particular concern." (A 5301, S 6522), prohibiting certain noncitizens, foreign governments, and foreign entities from owning any industrial or agricultural land (A 6410), and prohibiting foreign adversaries from owning agricultural land (A 6444); status: open.</p>						
North Carolina	No restrictions. See notes below.						

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	<p>N.C. Gen. Stat. Ann. §§ 64-1 (permitting aliens to hold property)</p> <p>*Note: Proposed bill, passed in the House, prohibiting direct or indirect ownership of agricultural land or land within a 25-mile radius of a military installation (HB 463).</p>						
North Dakota	<p>2023 N.D. Laws. H.B. 1135 and 2023 N.D. Laws S.B.2371; and N.D. Cent. Code Ann. §§ 10-06.1-15, 10-06.1-15.2, 10-06.1-17, 10-06.1-17.1, 10-06.1-18, 10-06.1-20, 10-06.1-21, 10-06.1-22, 47-10.1-05</p>	<p>The following is restricted:</p> <ol style="list-style-type: none"> 1. Direct or indirect ownership of or interest in agricultural land by any foreign individuals, foreign business entities, foreign governments, or state-controlled enterprises is restricted, unless the land is being used for agricultural research and development and is less than 160 acres. 2. Ownership of farmland or ranchland by all corporations or LLCs except livestock farm corporations or LLCs is restricted. 3. Direct or indirect ownership of any real property: <ol style="list-style-type: none"> (i) by foreign adversaries, foreign business entities with a principal executive office located in a foreign adversary country; (ii) by a foreign business entity in which a foreign 	<ol style="list-style-type: none"> 1. Any foreign individuals, foreign business entities, foreign governments, or state-controlled enterprises (where a government holds 51% or more of ownership in the entity or holds less than 51% but directs the business operations of the entity) are restricted from direct or indirect ownership in agricultural land. 2. All corporations or LLCs except livestock farm corporations or LLCs are restricted from ownership of farmland or ranchland, but can be partners in a partnership that farms or ranches. 	April 25, 2023	For ownership of #2 only, annual reporting is required by livestock farming or ranching corporations before April 16 th of each year.	For ownership of #2 only, livestock farm corporations and LLCs must report foreign alien ownership status to the ND Secretary of State before April 16 th of each year.	All property must be divested if found to not be in compliance with the any of these statutes by an attorney general's action.

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		adversary owns 51% or more of the total controlling or ownership interests; or (iii) by a foreign business that owns 50% or less of the total controlling or ownership interests but directs the business operations and affairs.	3. Foreign adversaries (defined as under 15 CFR 7.4(a) or as a person identified on the office of foreign assets control sanctions list), foreign business entities with a principal executive office located in a foreign adversary country, or a foreign business entity in which a foreign adversary owns 51% or more of the total controlling or ownership interests or 50% or less but directs the business operations and affairs are restricted from direct or indirect ownership of any real property.				
Ohio	Ohio Rev. Code Ann. § 5301.256 (regarding agricultural land). See below note. Reporting: Ohio Rev. Code Ann. §§ 5301.254, 5301.99 *Note: Bill proposed prohibiting foreign adversaries from owning real property (HB 212); status: open.	Direct or indirect ownership of agricultural land by foreign adversaries, state sponsors of terrorism, and sanctioned persons is restricted.	Any person listed in the Ohio Secretary of State's registry : foreign adversaries, state sponsors of terrorism, and sanctioned persons are restricted from direct or indirect ownership of agricultural land. "Person" includes all business entities including joint ventures and governments of foreign nations.	October 3, 2023	Nonresident aliens and corporations as listed must report to the OH Secretary of State within 30 days of acquisition.	Nonresident aliens (any individual not a citizen of and domiciled in the US) and corporations or business entities created or organized under laws outside of Ohio or that has its principal place of business in a foreign nation or a nonresident alien owns 10% of the stock or interest or a group of	Any agricultural land in violation by the attorney general would escheat to the state; any violation of reporting requirements will be fined the greater of 25% of market value or \$5000 as reported to the attorney general.

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			Although not restricted in ownership, nonresident aliens and corporations have reporting requirements for acquisition of land.			nonresident aliens owns 40% of stock or interest must report acquisitions of any land more than 3 acres, has a market value of over \$100k, or is a mineral or mining right worth more than \$50k to the OH Secretary of State.	
Oklahoma	Okla. Const. art. XXII § 1, Okla. Stat. tit. 18 §§ 951-956, 60 Okl. St. Ann. § 121, 60-125. See notes below. <i>*Note:</i> Proposed bill to amend the constitution to reflect statutory language (SJR 10); status: open.	Direct and indirect ownership of any land in the state by aliens or any noncitizens is restricted.	Aliens or any noncitizens of the United States are restricted from ownership of any land in the state either directly or indirectly individually or through a business entity or trust.	November 1, 2023	None listed	None listed	Land in violation will escheat to the state as enforced by the attorney general.
Oregon	No restrictions						
Pennsylvania	Pa. Stat. Ann. tit. 68, §§ 41-47	Acquiring an interest in agricultural land , exceeding 100 acres is prohibited, except such as may be acquired by devise or inheritance, and such as may be held as security for indebtedness. This shall not apply to citizens, foreign governments or subjects of a foreign country whose rights to hold land are secured by treaty. (68 P.S. § 41)	Applies to any alien, who is not a resident of a state or territory of the United States or of the District of Columbia, or any foreign government.	April 6, 1980	None listed	The Department of Agriculture shall monitor, for compliance, biannual reports transmitted to the department pursuant to Section 6 of the United States Agricultural Foreign Investment Disclosure Act of 1978 (Public Law 95-460). (68 P.S. § 45)	Agricultural lands acquired or held in violation shall be forfeited to Pennsylvania. The Attorney General shall enforce such forfeiture. However, no such forfeiture may be adjudged unless the action to enforce is brought within five years after such property has been acquired or held by such alien. No title to land is invalid or liable to forfeiture by reason of the alienage of any former owner or person interested therein. (68 P.S. § 46)

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Rhode Island	No restrictions 34 R.I. Gen. Laws Ann. § 34-2-1 (permitting aliens to hold real estate)						
South Carolina	S.C. Code Ann. §§ 27-13-10, 27-13-30. See notes below. *Note: Bill proposed and passed by the Senate to prohibit a citizen of a foreign adversary or a corporation controlled by a foreign adversary from acquiring an interest in real property (S 576); status: open. *Note: Additional bills introduced to prohibit certain companies in whole or in part owned by China from owning property within 50 miles of a federal military base (HB 3118) or any real estate more than 100 acres (HB 3566) and to reduce the limit to 100,000 acres for all aliens or corporations controlled by aliens (S 392); status: open.	Direct or indirect ownership of more than 500,000 acres of land by aliens or corporations controlled by aliens is restricted.	Aliens or corporation controlled by aliens are restricted from ownership of more than 500,000 acres of land.	1956	None listed	None listed	None listed

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South Dakota	<p>S.D. Codified Laws §§ 43-2A-2, 43-2A-6, 47-9A-1</p> <p>Reporting; 2023 S.D. Laws ch. 169 (that § 59-11-24 be Amended); and S.D. Codified Laws §§ 59-11-24</p>	<p>Direct or indirect ownership of agricultural land in excess of 160 acres by aliens and foreign governments is restricted.</p>	<p>Aliens and foreign governments are restricted from owning agricultural land in excess of 160 acres. No corporation may own real estate used for farming or capable of being used for farming unless the agricultural land is owned or operated primarily for the purpose of producing animal breeding stock or reproductive products from animals.</p>	<p>Restrictions: 1979</p> <p>Reporting: March 8, 2023</p>	<p>Annual reporting required for foreign entities.</p>	<p>Foreign entities must deliver an annual report to the Office of the Secretary of State that includes whether the entity owns any agricultural land and if so, whether the entity has any foreign beneficial owners (a foreign government, a natural person not a US citizen, an entity registered outside the US, or an entity owned by a foreign government or natural person not a US citizen).</p>	<p>Agricultural land held in violation shall be forfeited to the state by action of the attorney general.</p>
Tennessee	<p>2023 Tenn. Pub. Acts ch.369 codified at Tenn. Code Ann. §§ 66-2-101 to 306)</p> <p>Reporting: Tenn. Code Ann. § 66-2-305</p>	<p>Prohibits the purchase or other acquisition of Tennessee real property by sanctioned foreign businesses, sanctioned foreign governments, and sanctioned nonresident aliens—including any of their agents, trustees, and fiduciaries—as those terms are defined in the statute.</p> <p>Real property: means one or more defined parcels or tracks of land or interests, benefits, and rights inherent in the ownership of real estate, including easements, water rights, agricultural land, or any</p>	<p>Sanctioned foreign business: (1) a corporation incorporated under the laws of a foreign country of a "sanctioned foreign government," id. § 66-2-301(2)(A); (2) a "business entity whether or not incorporated, in which a majority interest" is "owned" by "sanctioned nonresident aliens," id. § 66-2-301(2)(B); or (3) "a corporation or business entity,</p>	<p>July 1, 2023</p>	<p>Within 60 days after July 1, 2023, or within 60 days after acquiring the real property or the interest in real property.</p>	<p>Any regulated person or entity that holds or acquires an interest in Tennessee real property on or after July 1, 2023, must register that property with the Tennessee Secretary of State within the time and in the manner prescribed by statute. (§ 66-2-305)</p>	<p>If the Secretary of State finds that a regulated person or entity has acquired or holds property in violation of the statute, the Secretary of State is required to report the violation to the Attorney General. Id. § 66-2-306(a). The Attorney General then shall initiate a circuit court action in the county in which the property is located and shall file a notice of the pendency of the action with the recorder of deeds in the county where the property is located. (§ 66-2-306(b) and (c))</p> <p>If the court finds a violation, it shall declare the real property escheated to the state and order the sale of the real property in the manner provided by law for the foreclosure of a mortgage on real estate for default of payment. Id. § 66-2-306(d). The statute expressly does not impose liability for a violation on real estate agents,</p>

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		<p>other interest in real property. (§ 66-2-301(1))</p> <p>A regulated person or entity that held Tennessee real property before July 1, 2023, is grandfathered in and may continue to own or hold that particular property but may not buy or otherwise acquire additional real property after July 1, 2023. (66-2-302(c))</p> <p>If a person or entity that is not regulated by the statute—i.e., that is not within the definition of "sanctioned" person or entity—buys or otherwise acquires real property in Tennessee except by devise or descent after July 1, 2023, and then later "becomes a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof" that person or entity must "divest itself of all right, title, and interest in the real property within" two years from the date of the change in status to regulated person or entity. (§ 66-2- 304)</p>	<p>whether or not incorporated, that is identified on the "Sanctions Programs and Country Information List" of the Office of Foreign Assets Control ("OFAC") of the U.S. Department of the Treasury. (§ 66-2-301(2)(C))</p> <p>Sanctioned foreign government: a government other than the government of the United States, its states, its territories, or its possession, that is identified by OFAC's Sanctions Programs and Country Information List. (§66-2-301(3))</p> <p>Sanctioned nonresident alien: (1) "a citizen of a sanctioned foreign government" and (2) a person identified on OFAC's Sanctions Programs and Country Information List. Id. § 66-2-301(4)(A). It does not include a citizen of the United States or "a person lawfully admitted into the United States for permanent residence by the United States</p>				<p>attorneys, or title insurance agents involved in the transactions in which a regulated person or entity acquired an interest in Tennessee real property in violation of the statute. (§ 66-2-306(f))_</p> <p>CONSEQUENCES OF FAILURE TO REGISTER</p> <p>If a regulated person violates the registration requirement, the Secretary of State "shall assess a civil penalty not to exceed" \$2,000 per violation. (§ 66-2-306(e))</p>

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			<p>immigration and naturalization service, even if such status is conditional." (§ 66-2-301(4)(B))</p> <p>If a regulated person or entity acquires Tennessee real property by devise or descent after July 1, 2023, that person or entity must "divest itself of all right, title, and interest in the real property within two years from the date of acquiring the real property or interest." Id. § 66-2-303(a). Divestment is not required, however, if the property is acquired from a sanctioned nonresident alien by devise or descent as long as the nonresident alien had acquired the property before July 1, 2023. (§ 66-2-303(b))</p> <p>EXCEPTIONS:</p> <p>(1) Bona fide encumbrance[s] on real property taken for purposes of security. (§ 66-2-302(b)(2))</p> <p>(2) Real property that is acquired by</p>				

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			law "in the collection of debts; by a deed in lieu of foreclosure; pursuant to a forfeiture of a contract for deed; or by a procedure for the enforcement of a lien or claim on the real property." (§ 66-2-302(b)(3)) But real property that is acquired by a regulated person or entity pursuant to this exception must be sold or otherwise disposed of within two years after the title is transferred.				
Texas	<p>No restrictions. See notes below.</p> <p>*Note - Proposed laws were left pending in committee in the House and Senate (HB1075 - 4/19/2023), (HB2788 - 4/20/2023), (HB4006 - 4/20/2023), (SB552 - 4/20/2023), (SB711 - 3/2/2023); status: open.</p> <p>Additional proposed laws were introduced and referred to another committee (HB3470 - 3/16/2023) and</p>						

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	(SB1441 – 3/16/2023); status: open. Additional proposed law passed in the Senate but have had no substantive action taken in the House (SB147 – 5/4/2023); status: open.						
Utah	Utah Code Ann. §§ 63L-13-101; 201; 202	Prohibits a restricted foreign entity from acquiring an interest in land within the state. Interest in land: "any right, title, lien, claim, interest, or estate with respect to land." Because " interest " is broadly defined, a " restricted foreign entity " is most likely in violation of the restriction if they acquire any property interest (both direct and indirect), including leaseholds and security interests in Utah land. Land: all real estate located in the state. Furthermore, the law specifies that " land " includes various types of real property, such as private land, public land, waters of the state, subsurface land, and agricultural land.	Restricted foreign entity: (a) a company that the US Secretary of Defense is required to identify and report as a military company under Section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Pub. L. No. 116-283; (b) an affiliate, subsidiary, or holding company of such a company (c) a country with a commercial or defense industrial base; (d) state, province, region, prefecture, subdivision, or municipality of a country described above; (e) an agency, bureau, committee, or	May 3, 2023	None listed	None listed	A restricted foreign entity that acquires an interest in land on or after May 3, 2023 by grant, gift, donation, devise, or bequest must alienate the interest within five years from the date of acquisition. If the restricted foreign entity fails to alienate an interest in land within that period, the interest escheats to the state. If a restricted foreign party fails to do so, their interest in the land escheats to the state, meaning the state takes ownership of the land. A "deed or other written instrument...purporting to convey an interest in land to a restricted foreign entity in violation of [this law] is invalid."

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			<p>department of a country described above.</p> <p>EXCEPTIONS:</p> <p>Exempts restricted foreign entities that acquired an interest in land before May 3, 2023</p>				
Vermont	No restrictions						
Virginia	<p>§55.1-507 to 509 (only agricultural property)</p> <p>Reporting: Va. Code Ann. § 55.1-509 requires the VA Dept. of Agriculture and Consumer Services (VDACS) to compile an annual report concerning foreign ownership of farmland.</p>	<p>A foreign adversary would be prohibited from acquiring or transferring "any interest in agricultural land in Virginia." Thus, an individual or entity that meets the definition of "foreign adversary" cannot hold an ownership interest in "agricultural land" as defined under the bill.</p> <p>Agricultural land: any real estate in Virginia currently used for an agricultural operation, as defined in the new law, or that is zoned in a manner that would permit the use of the real estate for an agricultural operation.</p> <p>Interest in agricultural land: means any right, title, or interest, direct or indirect, in and to (i) agricultural land or (ii) any entity or other organization that holds any right, title, or interest, direct or indirect, in and to agricultural land.</p>	<p>Foreign adversary: means any foreign government or any non-government person determined by the U.S. Secretary of Commerce to have engaged in a long-term pattern of serious instances of conduct significantly adverse to the national security of the United States and the safety of U.S. persons. As of the date of this update, the U.S. Secretary of Commerce has designated five nations and one individual as "foreign adversaries" – China, Cuba, Iran, North Korea, Russia, and Venezuelan</p>	July 1, 2023	VDACS shall publish its report no later than July 1 of each year.	<p>VDACS must compile an annual report based on data provided to it by the U.S. Department of Agriculture ("USDA") through the federal AFIDA requirement. The report shall include:</p> <p>The total amount of agricultural land under foreign ownership, (2) percentage change in foreign ownership of agricultural land, (3) purpose for which foreign-owned agricultural land is being used, (4) information on foreign ownership of energy production, storage, or distribution facilities</p> <p>Does not specify that the report</p>	Any acquisition in violation of §55.1-507 to 509 is void, and title to such interest in agricultural land is deemed to have vested in Virginia. The foreign adversary is barred from making a claim against any party for restitution or any other payment related to the loss or lack of title. Additionally, actions such as ejecting the foreign adversary from possession or quieting title to such property can be filed.

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			<p>politician Nicolás Maduro.</p> <p>EXCEPTIONS:</p> <p>The legislation exempts any "foreign adversary" from the restriction if the restriction would be "inconsistent with any provisions of any treaty between the United States and another country."</p>			include information concerning only "foreign adversaries" , but agricultural land under "foreign ownership" . Therefore, it may require VDACS to report the investments of all foreign individuals, business entities, and governments in the state's farmland.	
Washington	<p>No restrictions. See notes below.</p> <p>*Note – Proposed law was reintroduced in the House with a subsequent executive session (HB1412 - 1/8/2024); status: open.</p> <p>An additional proposed law was reintroduced in the Senate (SB5754 - 1/8/2024); status: open.</p>						
West Virginia	<p>No restrictions. See notes below.</p> <p>*Note - Proposed law was introduced in the House and Senate (HB3493 - 2/27/2023); status: open.</p>						

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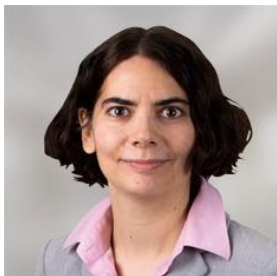
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	An additional proposed law was introduced in the House (HB3436 - 2/13/2023); status: open.						
Wisconsin	No restrictions. See notes below. *Note - Proposed laws were introduced in the Senate and Assembly (SB264 - 5/2/2023), (AB269 - 5/17/2023), (SB348 - 6/29/2023), and (AB349 - 11/21/2023); status: open.						
Wyoming	No restrictions. See notes below. Wyo. Const. art. I, § 29 (stating that no distinction shall ever be made by law between resident aliens and citizens regarding the possession, taxation, enjoyment, and descent of property. This provision suggests an inclusive approach towards property rights for foreign individuals in Wyoming.) *Note -There have been legislative efforts recently.						

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	<p>During the 2023 session of the Wyoming Legislature, two bills were introduced that aimed to restrict foreign ownership of property. Both bills failed, but there are plans to reintroduce them in the 2024 legislative session.</p>						

CONTACTS



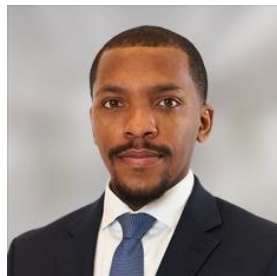
Jeanne Roig-Irwin
Partner

T +1 212 878 3058
E jeanne.roig-irwin@cliffordchance.com



Dawn Goldberg
Associate

T +1 212 878 3160
E dawn.goldberg@cliffordchance.com



Ronald Britt
Associate

T +1 212 878 3167
E ronald.britt@cliffordchance.com



Grace Mayes
Associate

T +1 212 878 3155
E grace.mayes@cliffordchance.com



Minji Shin
Associate

T +1 212 878 3103
E Minji.Shin@cliffordchance.com



Renée Latour
Partner

T +1 202 912 5509
E Renee.Latour@cliffordchance.com



Holly Bauer
Associate

T +1 202 912 5132
E holly.bauer@cliffordchance.com

Andrew Astuno
Associate

T +1 202 912 5083
E andrew.astuno@cliffordchance.com

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