

# SENATE BILL NO. 791

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BECK.

3216S.01H

ADRIANE D. CROUSE, 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Section A. Section 442.571, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 442.571, to read as follows:

442.571. 1. Except as provided in sections 442.586 and 442.591, [no alien or foreign business shall acquire by grant, purchase, devise, descent or otherwise agricultural land in this state if the total aggregate alien and foreign ownership of agricultural acreage in this state exceeds one percent of the total aggregate agricultural acreage in this state. A sale or transfer of any agricultural land in this state shall be submitted to the director of the department of agriculture for review in accordance with subsection 3 of this section only if there is no completed Internal Revenue Service Form W-9 signed by the purchaser] **beginning August 28, 2022, no alien or foreign business shall acquire by grant, purchase, devise, descent, or otherwise any agricultural land in this state. Any alien or foreign business who acquired any agricultural land in this state prior to August 28, 2022, shall not grant, sell, or otherwise transfer such agricultural land to any other alien or foreign business on or after August 28, 2022.** No person

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

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

31       3. Subject to the provisions of subsection 1 of this  
32 section, **[such] all** proposed **[acquisitions] transfers on or**  
33 **after August 28, 2022**, by grant, purchase, devise, descent,  
34 or otherwise of **any interest in** agricultural land **held by**  
35 **any alien or foreign business** in this state shall be  
36 submitted to the department of agriculture to determine  
37 whether such **[acquisition] transfer** of agricultural land is  
38 conveyed in accordance with the **[one percent restriction on**  
39 **the total aggregate] prohibition on** alien and foreign  
40 ownership of agricultural land in this state **under this**  
41 **section**. The department shall establish by rule the  
42 requirements for submission and approval of requests under  
43 this subsection.

44       4. Any rule or portion of a rule, as that term is  
45 defined in section 536.010, that is created under the  
46 authority delegated in this section shall become effective  
47 only if it complies with and is subject to all of the  
48 provisions of chapter 536 and, if applicable, section  
49 536.028. This section and chapter 536 are nonseverable and  
50 if any of the powers vested with the general assembly

51 pursuant to chapter 536 to review, to delay the effective  
52 date, or to disapprove and annul a rule are subsequently  
53 held unconstitutional, then the grant of rulemaking  
54 authority and any rule proposed or adopted after August 28,  
55 2014, shall be invalid and void.

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