
SENATE BILL 5754

State of Washington

68th Legislature

2023 Regular Session

By Senator Boehnke

1 AN ACT Relating to ownership of agricultural real estate; and
2 amending RCW 64.16.005.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 64.16.005 and 2012 c 117 s 195 are each amended to
5 read as follows:

6 ((Any)) (1) Except as provided in subsection (2) of this section,
7 any alien may acquire and hold lands, or any right thereto, or
8 interest therein, by purchase, devise, or descent; and he or she may
9 convey, mortgage, and devise the same, and if he or she shall die
10 intestate, the same shall descend to his or her heirs, and in all
11 cases such lands shall be held, conveyed, mortgaged, or devised, or
12 shall descend in like manner and with like effect as if such alien
13 were a native citizen of this state or of the United States.

14 (2)(a) On or after August 1, 2023, nonresident aliens, foreign
15 businesses, agents, trustees, or fiduciaries associated with the
16 government of the people's republic of China shall be prohibited from
17 acquiring directly or indirectly any interest in agricultural,
18 forest, or mineral land.

19 (b) No corporation, partnership, limited partnership, trustee, or
20 other business entity may directly or indirectly, acquire or
21 otherwise obtain any interest, whether legal, beneficial, or

1 otherwise, in any title to agricultural, forest, or mineral land
2 designated by cities and counties if more than 20 percent of each
3 class of stock issued and outstanding or more than 20 percent of the
4 ultimate beneficial interest of the entity is held directly or
5 indirectly by nonresident aliens, foreign businesses, agents,
6 trustees, or fiduciaries associated with the government of the
7 people's republic of China.

8 (c) The restrictions on alien land ownership contained in (a) and
9 (b) of this subsection do not apply to:

10 (i) Land that may be acquired by devise, inheritance, as security
11 for indebtedness, by process of law in collection of debts, or by any
12 procedure for the enforcement of a lien or claim thereon, whether
13 created by mortgage or otherwise. Land acquired in the collection of
14 debts or by the enforcement of a lien or claim shall be disposed of
15 within three years of acquiring ownership; or

16 (ii) Citizens or subjects of a foreign country whose rights to
17 hold land are secured by treaty.

18 (d) This prohibition does not apply to agricultural land
19 associated with food processing facilities.

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