



Foreign Ownership of Land

2023 State Legislation

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Legislation has been introduced in 35 states this year regarding foreign ownership of land. Some legislation is specific to agricultural land or land near a military installation, while others apply broadly. Bills have passed in 15 states—Alabama, Arkansas, Florida, Idaho, Indiana, Iowa, Louisiana, Mississippi, Montana, North Dakota, Oklahoma, South Dakota, Tennessee, Utah and Virginia.

State	Bill Number	Status	Summary
Alabama	2023 HB 379	Enacted (5/31/23)	Prohibits a foreign principal from acquiring title to, or acquiring controlling interest in, any of the following: agricultural and forest property; real property on or within 10 miles of any military installation or critical infrastructure facility.
Arizona	2023 HB 2376/SB 1115	Failed	Prohibits sale of state land to a foreign entity. “Foreign entity” is defined as a foreign government or a state-controlled enterprise of a foreign government, a company or other entity with certain ties to China, Cuba, Iran, North Korea, Russia, Saudi Arabia, Syria or Venezuela, or an individual who is a citizen of the aforementioned countries.
	2023 HB 2761	Failed	Prohibits land in the state from being conveyed to a foreign entity. “Foreign entity” is defined as a foreign government, a state-controlled enterprise of a foreign government or an entity acting as an agent for a foreign government or state-controlled enterprise of a foreign government. Also prohibits sales of state lands to foreign entities.
	2023 HB 2676	Failed	Prohibits land in the state from being conveyed to a foreign entity. “Foreign entity” is defined as a foreign government or a state-controlled enterprise of a foreign government. Also prohibits sales of state lands to foreign entities.
	2023 HR 2002	Adopted	Indicates support among members of the House of Representatives for the Securing America’s Land from Foreign Interference Act or similar legislation.
Arkansas	2023 SB 383	Enacted (4/11/23)	Prohibits a foreign party-controlled business from acquiring by grant, purchase, devise, descent, or otherwise any interest in public or private land in the state. Requires divestiture. Prevents a prohibited foreign party from acquiring by grant,

			purchase, devise, descent, or otherwise any interest in agricultural land in the state regardless of whether the prohibited foreign party intends to use the agricultural land for nonfarming purposes. Creates office of agricultural intelligence.
	2023 HB 1479	Failed	Prohibits the purchase of or acquisition of title to agricultural land by a governmental entity of the People's Republic of China or certain entities connected with the People's Republic of China.
	2023 SB 340	Failed	Prevents a prohibited foreign party controlled business from acquiring by grant, purchase, devise, descent, or otherwise any interest in public or private land in the state. Prevents a party from holding public or private land as an agent, trustee, or other fiduciary for a prohibited foreign party controlled business. Also applies to agricultural land regardless of whether the prohibited foreign party intends to use the land for nonfarming purposes. Lists certain exceptions.
California	2023 AB 475	Pending-Carryover	Prohibits a prohibited foreign actor from purchasing, acquiring, leasing, or holding an interest in any land that is located within a specified number of miles of a United States military base or California National Guard base within the State. Exempts land held by a prohibited foreign actor before specified date from that prohibition.
	2023 SB 224	Pending-Carryover	Prohibits a foreign government from purchasing, acquiring, leasing, or holding an interest, as defined, in agricultural land within the state of California. Exempts land held by foreign governments before Jan. 1, 2024, from that prohibition. Requires the Department of Food and Agriculture to compile an annual report containing the total amount of agricultural land that is under foreign ownership, how that land is currently being put to use, and any legislative, regulatory, or administrative policy recommendations in light of that information.
Florida	2023 SB 264	Enacted (5/8/23)	Restricts the issuance of government contracts or economic development incentives to, or real property ownership by, foreign principals, which are certain individuals and entities associated with foreign countries of concern. Foreign countries of concern include the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolas Maduro, and the Syrian Arab Republic.
	2023 HB 1355	Failed	Prohibits governmental entities from knowingly entering into certain contracts. Requires government entities to require affidavit from applicants before providing any economic incentive. Prohibits foreign principals from purchasing agricultural land.

	2023 HB 835/SB 924	Failed	Provides that any company or development owned or controlled by a company that is owned by or a subsidiary of a company that is owned by the People's Republic of China or the Chinese Communist Party, or whose principal place of business is located within the People's Republic of China or any intermediary acting on behalf of such company may not purchase or acquire any real property or strategic assets located within 50 miles of a military base or other strategic assets, or purchase more than 50 miles of agricultural land.
Hawaii	2023 HB 280/SB 253	Pending – Carryover	Prohibits nonresident aliens and businesses and trusts that are significantly controlled by nonresident aliens from acquiring certain residential property in the state, except as otherwise provided by law.
	2023 HB 929	Pending – Carryover	Prohibits the purchase or receipt of real estate within two miles of federal land by foreign individuals, entities, or governments; institutes a reciprocal ban on foreign individuals, entities, or governments where Americans are forbidden from owning real estate abroad.
Idaho	2023 HB 173	Enacted (4/3/23)	Amends existing law to provide that a foreign government or foreign state-controlled enterprise shall not purchase, acquire, or hold any interest in certain types of property in the state.
Indiana	2023 SB 477	Enacted (5/1/23)	Prohibits a person from entering into an agreement relating to critical infrastructure with a company if under the agreement, the company would be able to directly or remotely access or control critical infrastructure; and the company has certain ties to China, Iran, North Korea, Russia, or a country designated as a threat to critical infrastructure by the governor. Also prohibits a person from selling, leasing, or transferring a parcel of real property located in Indiana and directly adjacent to a military installation to a prohibited person.
Iowa	2023 SB 418	Enacted (5/3/23)	Relates to the investment of public funds in companies that are owned or controlled by Chinese military or government services and public fund review requirements.
	2023 SB 574	Pending – Carryover	Creates the Major Economic Growth Attraction (MEGA) Program under the Iowa Economic Development Authority. Allows foreign businesses to acquire agricultural land in Iowa and receive tax credits if the foreign business is from an allied country, the land is a certified MEGA site, and the business meets necessary requirements.
	2023 HB 211	Pending – Carryover	Prohibits the government of, and persons and entities from, the People's Republic of China from acquiring real property located in the state.
	2023 HB 542	Pending – Carryover	Prohibits the government of, and persons and entities from, the People's Republic of China, and companies or persons under control of the communist party of China, from acquiring or owning real property located in the state.

	2023 HB 642	Pending – Carryover	Establishes the Major Economic Growth Attraction (MEGA) program. Allows foreign businesses to acquire agricultural land in Iowa and receive tax credits if the foreign business is from an allied country, the land is a certified MEGA site, and the business meets necessary requirements.
Kansas	2023 HB 2397	Pending – Carryover	Provides that no person owned by, controlled by or subject to the jurisdiction or direction of a foreign adversary may purchase, acquire by grant, or otherwise obtain ownership of any interest in real property located in the state. “Foreign adversary” is defined pursuant to 15 C.F.R. §7.4, a.
Kentucky	2023 HB 500	Failed	Prohibits a nonresident alien, foreign business, agent, trustee, or fiduciary associated with the government of any country as referenced in 22 C.F.R. sec. 126.1 from the purchase, lease, or acquisition of agricultural lands in Kentucky or participation in programs administered by the Department of Agriculture, Agricultural Development Board, and Kentucky Agricultural Finance Corporation.
Louisiana	2023 HB 125	Vetoed (6/29/23)	Restricts any foreign adversary with an ownership interest in a corporation, limited liability company, pension or investment fund, trust, or limited partnership from directly or indirectly, owning, acquiring, leasing, or otherwise obtaining any interest, in agricultural land as defined by present law. Defines foreign adversary. Lists certain exceptions.
	2023 HB 537	Enacted (6/27/23)	Provides for a prohibition against foreign adversary purchasing, leasing, or acquiring land.
	2023 SB 91	Failed	Prohibits foreign actors, tied with identified foreign adversaries, from owning, purchasing, leasing, possessing, exercising any control, or holding any interest in immovable property located within 50 miles of any federal or state military land, facilities, or weather stations, or any facility operated by the Civil Air Patrol.
Maine	LD 877	Pending – Carryover	Requires that a company that submits a bid or proposal for a contract with the state for goods or services must certify that the company is not owned or operated by the government of the People's Republic of China. A company owned or operated by the government of the People's Republic of China is ineligible for and may not bid on or submit a proposal, directly or indirectly, for a contract with a public or private entity that directly or indirectly receives state funding.
Maryland	2023 HB 842	Failed	Prohibits foreign persons from purchasing, leasing, or otherwise acquiring certain interests in agricultural land in the state. Provides that the transfer of a certain interest in agricultural land to a foreign person is void as against the public policy of the state.
	2023 HB 968	Failed	Prohibits a nonresident alien who is a citizen of the People's Republic of China, a commercial enterprise or business incorporated in the People's Republic of China, or an individual employed or associated with the government of the People's Republic of China from purchasing agricultural land or participating in certain agricultural programs.

Michigan	2023 SB 270	Pending	Prohibits sale or transfer of agricultural assets or land to foreign entities.
	2023 HB 4134	Pending	Prohibits a foreign government or state-sponsored enterprise, or an individual operating on behalf of a foreign government or state-sponsored enterprise, from purchasing or acquiring farmland in the state.
	2023 HB 4283	Pending	Prohibits a foreign person from purchasing or otherwise acquiring agricultural land in the state.
	2023 HB 4329	Pending	Prohibits sale or transfer of real property to foreign entities.
	2023 SB 260	Pending	Prohibits sale or transfer of real property to foreign entities.
	2023 HB 5050	Pending	Prohibits certain foreign entities from purchasing farmland.
Mississippi	2023 HB 280	Enacted (3/22/23)	Prohibits a foreign government from purchasing, acquiring, leasing, or holding an interest, as defined, in agricultural land within the state. Does not apply to federally recognized Indian tribes or their government units and enterprises.
	2023 HB 984	Failed	Provides that certain companies owned, in whole or in part, by the People's Republic of China or the Chinese Communist Party may not own, lease, possess or exercise any control over more than 100 acres of real estate in the state.
	2023 HB 1275	Failed	Provides that foreign persons and foreign entities may not bid for or purchase property sold at a tax sale. "Foreign person" means any person other than a citizen or resident of the United States and "foreign entity" means any partnership, limited liability company, corporation, estate or trust not formed in the United States. An entity will be deemed to be a foreign entity even if formed in the United States if the entity has twenty-five percent (25%) or greater interest owned or controlled by a foreign person or foreign entity.
	2023 HB 1236	Failed	Prohibits aliens and governments of foreign countries from acquiring title to, taking or holding any land, leasehold interest, or real estate in the state by descent, devise, purchase or otherwise.
	2023 SB 2089	Failed	Provides that no entity that acquires or holds land in the state may be owned by or transferred to, in part or in whole, any entity or nonresident alien belonging to a country that is hostile to the interests of the United States or a country that is a known violator of human rights.
	2023 SB 2092	Failed	Provides that nonresident aliens who are citizens of a country that is hostile to the interests of the United States or a country that is a known violator of human rights may not hold land, dispose of it or transmit it by descent.
	2023 SB 2632	Failed	Provides that nonresident aliens who are citizens of a country that is hostile to the interests of the United States or a country that is a known violator of human rights may not hold land, dispose of land or transmit land by descent if the land is located within a specified mile radius of a military installation.
	2023 SB 2828	Failed	Authorizes and directs the secretary of state to take such actions as may be necessary to prohibit the purchase of

			public or private real estate located in the State by members of the Chinese communist party.
Missouri	2023 SB 903 (combined HB 465, 430, 499)	Failed	Beginning Aug. 28, 2023, prohibits an alien, foreign business, or foreign government from acquiring by grant, purchase, devise, descent or otherwise any agricultural land in the state. Prevents the grant, sell of transfer of any agricultural land acquired by an alien or foreign business prior to that date.
	2023 SB 332 (combined SB 334, 541, 144)	Failed	Beginning Aug. 28, 2023, prohibits an alien or foreign business from acquiring by grant, purchase, devise, descent or otherwise any agricultural land in the state. Prevents the grant, sell of transfer of any agricultural land acquired by an alien or foreign business prior to that date.
	2023 HB 707	Failed	Beginning Aug. 28, 2023, prohibits an alien or foreign business from acquiring by grant, purchase, devise, decent or otherwise any agricultural land in the state. Prevents the grant, sell of transfer of any agricultural land acquired by an alien or foreign business prior to that date.
	2023 HB 832	Failed	
	2023 HB 1004	Failed	
	2023 HB 1033	Failed	
	2023 SB 9	Failed	
	2023 SB 76	Failed	
	2023 SB 55	Failed	Prohibits any alien or foreign business from purchasing or leasing land within 30 miles of agricultural land, any military installation and any commercial establishment engaged in the development or manufacture of classified military equipment.
	2023 SJR 38	Failed	Would amend Art. 1 of the Constitution of Missouri, adding a section that no alien, foreign business, or nation may acquire by grant, purchase, devise, descent or otherwise agricultural land in the state. Adds that no person may hold agricultural land as an agent, trustee or other fiduciary for an alien, foreign business, or nation.
	2023 SJR 41	Failed	Creates the joint committee on state security; relates to securing state property from certain foreign interests.
Montana	2023 SB 203	Enacted (5/4/23)	Provides that a foreign adversary may not buy, lease, or rent critical infrastructure or land used for agricultural production from a specified entity or enter into a contract with an entity that results in the foreign adversary's control of agricultural production land or critical infrastructure in the state.
	2023 SB 256	Failed	Prohibits ownership of private property within the state by specified citizens of enemy states.
	2023 SB 499	Vetoed (5/18/23)	Revises laws related to adverse possession of land, fixtures, and other improvements on land owned by foreign for-profit corporations by a state resident. Exempts real property owned by a tribal member, a tribe, or tribal land within the boundaries of a reservation.
Nebraska	2023 LR 106	Failed	Interim study to examine interests in agricultural lands in state held by foreign individuals, business entities, and governments.
New Jersey	2023 AB 5120/SB 3534	Pending	Prohibits any foreign government or foreign person from acquiring, purchasing, or otherwise obtaining a legal,

			beneficial, or other interest in any agricultural land in the state.
	2023 AB 5346/SB 3666	Pending	Prohibits ownership of certain protected land adjacent to military facilities in the state by certain foreign governments and persons.
	2023 AB 5383	Pending	Prohibits foreign ownership of agricultural or horticultural land and agricultural woodlands in state.
New York	2023 AB 6444/SB 6583	Pending	Prohibits the acquisition or transfer of agricultural land by foreign adversaries. Provides that such prohibition will not apply to any interest in agricultural land held by a foreign adversary prior to certain date or any federally recognized Indian tribe or its government units and enterprises.
North Carolina	2023 HB 463	Pending	Prohibits the acquisition of agricultural and other lands critical the safety and security of the state by certain foreign governments designated as adversarial by the United States Department of Commerce.
North Dakota	2023 HB 1135	Enacted (4/20/23)	Prohibits a foreign government from purchasing, acquiring, or holding any foreign governmental interest in agricultural land in the state. Certain exceptions.
	2023 HB 1503	Failed	Prohibits a government of a foreign country or a foreign business entity, permanent resident, or alien from directly or indirectly acquiring an ownership interest in real property in the state, with certain exceptions. Applies retroactively to ownership interests in real property acquired after July 31, 2020.
	2023 SB 2371	Enacted (4/29/23)	Relates to the power of counties and municipalities to prohibit local development by a foreign adversary. Relates to the prohibition on ownership of real property by a foreign adversary. "Foreign adversary" means an individual or a government identified as a foreign adversary in 15 CFR 7.4(a).
	2023 HB 1356	Failed	Creates the state agricultural foreign investment review board to establish policies to determine if a proposed acquisition of an interest in agricultural land is appropriate and in the best interest of the state in regard to state security and the agriculture industry.
Oklahoma	2023 SB 212	Enacted (6/6/23)	Amends existing law related to alien ownership of land. Adds to prohibition on alien ownership land that may be owned "either directly or indirectly through a business entity or trust." Adds requirement that any deed recorded with a county clerk include an affidavit attesting that the person, business entity, or trust is obtaining the land in compliance with the requirements of this section and that no funding source is being used in the sale or transfer in violation of the law.
	2023 SB 1051	Pending – Carryover	Similar to above with regard to alien ownership of land through a business entity or trust.
	2023 SJR 10	Pending – Carryover	Directs the Secretary of State to refer to the people a proposed amendment to the state constitution prohibiting certain foreign ownership of land through business entity or

			trust; decreasing allowable time period for disposition of certain property; modifying exception to certain ownership requirements.
	2023 SB 464	Pending – Carryover	Relates to alien ownership of land. Prohibits certain ownership of land through business entity or trust. Decreases time period for sale of certain land.
Oregon	2023 HB 3244	Failed	Directs a study of the economic competitiveness of Oregon's agricultural sector. Among the topics to be considered is the impact on the state agricultural sector from foreign investment in land.
	2023 HB 3460	Failed	Requires Department of Land Conservation and Development to study foreign investment in Oregon agricultural land.
South Carolina	2023 HB 3566	Pending – Carryover	Provides that certain companies owned, in whole or in part; the People's Republic of China or the Chinese Communist Party may not own, lease, possess, or exercise any control over more than one hundred acres of real estate in this state.
	2023 HB 3118	Pending – Carryover	Provides that certain companies owned, in whole or in part by the People's Republic of China or the Chinese Communist Party may not own, lease, possess, or exercise any control over any land or real estate located within fifty miles of a state or federal military base or installation for the purpose of installing or erecting certain towers.
	2023 SB 576	Pending – Carryover	Provides that corporations controlled by a foreign adversary cannot acquire an interest in real property in the state. Reduces the amount of real property that an alien or corporation may acquire an interest in from five hundred thousand acres to one thousand acres.
South Dakota	2023 HB 1189	Enacted (3/8/23)	Requires certain entities owning agricultural land to report foreign beneficial ownership interests. Provides that each filing entity or qualified foreign entity must deliver to the Office of the Secretary of State for filing an annual report that sets forth specified information, including but not limited to whether the entity owns any agricultural land and, if so, whether the entity has any foreign beneficial owners.
	2023 HB 1069	Failed	Prohibits a foreign government from purchasing, acquiring, leasing or holding any interest in agricultural land in the state. Prohibits alien from acquiring agricultural land or any interest in agricultural land exceeding 160 acres unless the acquisition is by devise, inheritance or security for indebtedness.
	2023 SB 185	Failed	Establishes the Committee on Foreign Investment in the United States South Dakota and revise provisions related to the foreign ownership or control of agricultural land.
Tennessee	2023 HB 40	Enacted (5/11/23)	Prohibits a nonresident alien, a foreign business or foreign government, or an agent, trustee, or fiduciary thereof from purchasing or otherwise acquiring real property in the state, including easements, water rights, agricultural land, or any other interest in real property, if the laws of the country where the nonresident alien resides, the foreign business is located, or the official foreign government representing the

			country, or agents, trustees, or fiduciaries thereof, prohibit citizens of the United States or its territories or possessions from purchasing real property located within that country.
Texas	2023 SB 147	Failed	Prohibits the following from purchasing or otherwise acquiring title to real property in the state: (1) a governmental entity of China, Iran, North Korea, or Russia; (2) a company or other entity that is: (A) headquartered in China, Iran, North Korea, or Russia; (B) directly or indirectly held or controlled by the government of China, Iran, North Korea, or Russia; or (C) owned by or the majority of stock or other ownership interest of which is held or controlled by individuals who are citizens of China, Iran, North Korea, or Russia; (3) a company or other entity that is owned by or the majority of stock or other ownership interest of which is held or controlled by a company or entity described by Subdivision (2); or (4) an individual who is a citizen of China, Iran, North Korea, or Russia.
	2023 HB 1075	Failed	Prohibits the following from leasing, purchasing, or otherwise acquiring title to or any other interest in agricultural land in the state: a foreign government; a company or other entity that is directly or indirectly held or controlled by a foreign government; or a company or other entity that is owned by or the majority of stock or other ownership interest of which is held or controlled by a company or entity described in Subdivision (2).
	2023 SB 552	Failed	Prohibits contracts or other agreements with certain foreign-owned companies in connection with agricultural land.
Utah	2023 HB 186	Enacted (3/13/23)	Prohibits a restricted foreign entity from acquiring an interest in land. Requires a restricted foreign entity to alienate certain interests in land. Provides that certain interests in land escheat to the state after a specified time. Defines “restricted foreign entity.”
	2023 HB 218	Failed	Prohibits a foreign government or an entity under a foreign government's control from holding an interest in real property.
Virginia	2023 HB 2325/SB 1438	Enacted (4/12/23)	Beginning Jan. 1, 2023, prohibits a foreign government from purchasing, acquiring, leasing or holding any interest in agricultural land in the Commonwealth. Contains reporting requirements.
Washington	2023 HB 1412	Pending – Carryover	Prohibits a foreign government, foreign state-controlled enterprise, foreign business entity, or foreign-controlled domestic business entity from purchasing, acquiring, leasing, or holding any interest in agricultural land in the state, or be the beneficiary of any trust that owns or controls agricultural land in the state, unless expressly authorized by a treaty between the United States and another country.
	2023 SB 5754	Pending – Carryover	Prohibits nonresident aliens, foreign businesses, agents, trustees, or fiduciaries associated with the government of the

			people's republic of China from acquiring directly or indirectly any interest in agricultural, forest, or mineral land.
West Virginia	2023 HB 3436	Failed	Prohibits a foreign government, foreign business or foreign person, or any agent, trustee, or fiduciary thereof, from purchasing or otherwise acquiring land in the state. Requires a foreign government, foreign business or foreign person, or any agent, trustee, or fiduciary thereof, that owns or holds land in the state to divest of all right, title, and interest in the land. Requires such owners to register land with the secretary of state.
	2023 HB 3493	Failed	Prohibits entities tied to China from purchasing or otherwise acquiring title to agricultural land in the state.
Wisconsin	2023 SB 264	Pending	Prohibits a foreign adversary from acquiring agricultural or forestry land in this state. Retains the current law restriction on foreign person ownership of agricultural and forestry land and adds a provision that prohibits a foreign adversary from acquiring any land for agricultural or forestry purposes.
	2023 SB 269	Pending	
	2023 AB 349/SB 348	Pending	Prohibits certain foreign persons from acquiring more than 50 acres of agricultural or forestry land in the state, changes enforcement authority regarding foreign ownership of agricultural or forestry land from the attorney general to the Department of Agriculture, Trade and Consumer Protection, and makes other changes to state laws restricting ownership of agricultural or forestry land by foreign persons.
Wyoming	2023 HB 116	Failed	Restricts foreign ownership of agricultural land in the state. Requires registration as specified. Provides for a civil penalty. Requires the inclusion of notices of foreign ownership in assessment schedules and tax. (ii) "Foreign government" means a government of Russia, China, and any country that has been designated as a state sponsor of terrorism under federal law.
	2023 HB 88/SB 124	Failed	Provides that no foreign government, foreign business or foreign person, or any agent, trustee or fiduciary thereof, shall purchase or otherwise acquire agricultural land in Wyoming. Registration requirements.