

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 326, Page 5, Section 417.018, Line 4, by inserting
2 immediately after said line the following:

3 "442.571. 1. Except as provided in sections 442.586 and 442.591, [~~no alien or foreign business~~
4 ~~shall acquire by grant, purchase, devise, descent or otherwise agricultural land in this state if the total~~
5 ~~aggregate alien and foreign ownership of agricultural acreage in this state exceeds one percent of the total~~
6 ~~aggregate agricultural acreage in this state. A sale or transfer of any agricultural land in this state shall be~~
7 ~~submitted to the director of the department of agriculture for review in accordance with subsection 3 of this~~
8 ~~section only if there is no completed Internal Revenue Service Form W-9 signed by the purchaser]~~ beginning
9 August 28, 2017, no alien or foreign business shall acquire by grant, purchase, devise, descent, or otherwise
10 any agricultural land in this state. Any alien or foreign business who acquired any agricultural land in this
11 state prior to August 28, 2017, shall not grant, sell, or otherwise transfer such agricultural land to any other
12 alien or foreign business on or after August 28, 2017. No person may hold agricultural land as an agent,
13 trustee, or other fiduciary for an alien or foreign business in violation of sections 442.560 to 442.592,
14 provided, however, that no security interest in such agricultural land shall be divested or invalidated by such
15 violation.

16 2. Any alien or foreign business who acquires agricultural land in violation of sections 442.560 to
17 442.592 remains in violation of sections 442.560 to 442.592 for as long as he or she holds an interest in the
18 land, provided, however, that no security interest in such agricultural land shall be divested or invalidated by
19 such violation.

20 3. Subject to the provisions of subsection 1 of this section, [~~such~~] all proposed [~~acquisitions~~]
21 transfers on or after August 28, 2017, by grant, purchase, devise, descent, or otherwise of any interest in
22 agricultural land held by any alien or foreign business in this state shall be submitted to the department of
23 agriculture to determine whether such [~~acquisition~~] transfer of agricultural land is conveyed in accordance
24 with the [~~one percent restriction on the total aggregate~~] prohibition on alien and foreign ownership of
25 agricultural land in this state under this section. The department shall establish by rule the requirements for
26 submission and approval of requests under this subsection.

27 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
28 authority delegated in this section shall become effective only if it complies with and is subject to all of the
29 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
30 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
31 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
32 rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.";
33 and
34

35 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____