

HB379 ENROLLED



1 LO4EAA-3
2 By Representatives Stadthagen, Kiel, Shedd, Wood (D), DuBose,
3 Butler, Hammett, Robertson, Whorton, Rehm, Pettus, Marques,
4 Lee, Stringer, Oliver, Hurst, Lipscomb, Paschal, Hulsey,
5 Brown, Mooney, Lamb, Gidley, Kirkland, Carns, Standridge
6 RFD: Urban and Rural Development
7 First Read: 25-Apr-23
8 2023 Regular Session



HB379 Enrolled

1 Enrolled, An Act,

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4 Relating to acquisition of title to real property; to
5 amend Section 35-1-1, Code of Alabama 1975, to prohibit
6 certain governments or governmental entities from acquiring
7 certain real property in the state.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. This act shall be known and may be cited as
10 the Alabama Property Protection Act.

11 Section 2. For purposes of this section, the following
12 words have the following meanings:

13 (1) AGRICULTURAL AND FOREST PROPERTY. All real property
14 used for raising, harvesting, and selling crops or for the
15 feeding, breeding, management, raising, sale of, or the
16 production of livestock, or for the growing and sale of timber
17 and forest products.

18 (2) CRITICAL INFRASTRUCTURE FACILITY. Any of the
19 following:

20 a. A chemical manufacturing facility.

21 b. A refinery.

22 c. A plant or facility producing electric energy no
23 matter how generated or produced.

24 d. A water treatment facility or wastewater treatment
25 plant.

26 e. A liquid natural gas terminal.

27 f. A telecommunications central switching office.

28 g. A gas processing plant, including any plant used in



HB379 Enrolled

29 the processing, treatment, or fractionation of natural gas.

30 h. A seaport facility as defined in Section 40-13-1,
31 Code of Alabama 1975.

32 i. Aerospace or spaceport infrastructure.

33 j. An airport as defined in Section 23-1-411, Code of
34 Alabama 1975.

35 (3) FOREIGN COUNTRY OF CONCERN. China, Iran, North
36 Korea, and Russia. This term shall not include Taiwan.

37 (4) FOREIGN PRINCIPAL. Any of the following:

38 a. The government or any official of the government of
39 a foreign country of concern.

40 b. A political party or member of a political party or
41 any subdivision of a political party in a foreign country of
42 concern.

43 c. A country or government identified on any sanctions
44 list of the United State Department of the Treasury's Office
45 of Foreign Assets Control.

46 (5) MILITARY INSTALLATION. A base, camp, post, station,
47 yard, or center that is under the jurisdiction of the
48 Department of Defense or its affiliates, encompassing at least
49 10 contiguous acres.

50 (6) REAL PROPERTY. Land, buildings, fixtures, and all
51 other improvements to land.

52 Section 3. (a) Notwithstanding any other law, no
53 foreign principal shall acquire title to, or acquire a
54 controlling interest in, any of the following:

55 (1) Agricultural and forest property.

56 (2) Real property on or within 10 miles of any military



HB379 Enrolled

57 installation or critical infrastructure facility.

58 (b) Subsection (a) shall apply only to the purchase of
59 or other acquisition of title to real property on or after the
60 effective date of this act. The purchase of or other
61 acquisition of title to real property prior to the effective
62 date of this act is governed by the law in effect immediately
63 prior to the effective date of this act, and that law is
64 continued in effect for that purpose.

65 (c) No title insurer, title agent, real estate
66 licensee, or other settlement provider as defined by the Real
67 Estate Procedures Act, 12 U.S.C. 2601 et seq., shall be liable
68 for any violation of Section 4(a).

69 Section 4. This act shall become effective on the first
70 day of the third month following its passage and approval by
71 the Governor, or its otherwise becoming law.



HB379 Enrolled

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 09-May-23, as amended.

John Treadwell
Clerk

Senate 18-May-23

Passed

House 23-May-23

Concurred in
Senate Amendment