

## HB68 INTRODUCED



1 HB68  
2 9R8WPMM-1  
3 By Representatives Stadthagen, Butler, Brown, Lipscomb  
4 RFD: Urban and Rural Development  
5 First Read: 04-Feb-25  
6 PFD: 04-Dec-24



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SYNOPSIS:

Under existing law that prohibits a foreign principal from acquiring certain interests in certain agricultural and forest property or other real property in the state, the term "foreign principal" is defined as a government, government official, political party, or member of a political party of certain specified countries, or any country or government identified on any sanctions list of the U.S. Department of the Treasury's Office of Foreign Assets Control.

This bill would expand the definition of "foreign principal" to include an individual or company identified on any sanctions list of the United State Department of the Treasury's Office of Foreign Assets Control.

This bill would specify that the terms "agricultural and forest property" and "real property" mean agricultural and forest property and real property in the state.

This bill would expand the existing law that prohibits a foreign principal from acquiring certain ownership interests in agricultural and forest property and real property to also prohibit a foreign principal from acquiring a leasehold interest in any of these properties in the state.



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to real property; to amend Section 35-1-1.1, Code of Alabama 1975, to prohibit certain individuals, companies, countries, governments, or related entities from acquiring certain interests in real property in the state.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 35-1-1.1, Code of Alabama 1975, is amended to read as follows:

"§35-1-1.1

(a) This section shall be known and may be cited as the Alabama Property Protection Act.

(b) For purposes of this section, the following words have the following meanings:

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

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

- a. A chemical manufacturing facility.
- b. A refinery.
- c. A plant or facility producing electric energy no



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57 matter how generated or produced.

58 d. A water treatment facility or wastewater treatment  
59 plant.

60 e. A liquid natural gas terminal.

61 f. A telecommunications central switching office.

62 g. A gas processing plant, including any plant used in  
63 the processing, treatment, or fractionation of natural gas.

64 h. A seaport facility as defined in Section 40-13-1.

65 i. Aerospace or spaceport infrastructure.

66 j. An airport as defined in Section 23-1-411.

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

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

70 a. The government or any official of the government of  
71 a foreign country of concern.

72 b. A political party or member of a political party or  
73 any subdivision of a political party in a foreign country of  
74 concern.

75 c. A country ~~or~~, government, individual, or company  
76 identified on any sanctions list of the United ~~State~~States  
77 Department of the Treasury's Office of Foreign Assets Control.

78 (5) MILITARY INSTALLATION. A base, camp, post, station,  
79 yard, or center that is under the jurisdiction of the  
80 Department of Defense or its affiliates, encompassing at least  
81 10 contiguous acres.

82 (6) REAL PROPERTY. Land, buildings, fixtures, and all  
83 other improvements to land in the state.

84 (c) Notwithstanding any other law, no foreign principal



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85 shall acquire title to, ~~or acquire~~ a controlling interest in,  
86 or a leasehold interest in, any of the following:

87 (1) Agricultural and forest property.

88 (2) Real property on or within 10 miles of any military  
89 installation or critical infrastructure facility.

90 (d) (1) Subsection ~~The prohibition in subsection~~ (c)  
91 against purchasing or otherwise acquiring title to, or a  
92 controlling interest in, property as set forth in the  
93 subsection shall apply only to the purchase of or other  
94 acquisition of title to ~~real~~, or controlling interest in, the  
95 property on or after August 1, 2023. The purchase of or other  
96 acquisition of title to real property prior to August 1, 2023,  
97 is governed by the law in effect immediately prior to August  
98 1, 2023, and that law is continued in effect for that purpose.

99 (2) The prohibition in subsection (c) against acquiring  
100 a leasehold interest in property as set forth in the  
101 subsection, shall apply to any leasehold interest acquired on  
102 or after August 1, 2025. The acquisition of a leasehold  
103 interest in the property prior to August 1, 2025, is governed  
104 by the law in effect immediately prior to August 1, 2025, and  
105 that law is continued in effect for that purpose.

106 (e) No title insurer, title agent, real estate  
107 licensee, or other settlement provider as defined by the Real  
108 Estate Procedures Act, 12 U.S.C. § 2601 et seq., shall be  
109 liable for any violation of subsection (c).

110 Section 2. This act shall become effective on August  
111 1, 2025.