

REFERENCE TITLE: agricultural land; foreign ownership; violation

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# SB 1004

Introduced by  
Senator Rogers

## AN ACT

AMENDING SECTION 3-102, ARIZONA REVISED STATUTES; AMENDING TITLE 3, CHAPTER 1, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 6; RELATING TO AGRICULTURAL LAND ADMINISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 3-102, Arizona Revised Statutes, is amended to  
3 read:

4 3-102. Department organization

5 A. The Arizona department of agriculture is established consisting  
6 of the following divisions:

7 1. The animal services division, which is responsible for milk,  
8 dairy, livestock and aquaculture regulation, the state veterinarian, meat,  
9 poultry and egg inspection and performing the administrative functions  
10 authorized or contracted pursuant to law for the Arizona beef council.

11 2. The plant services division, which is responsible for  
12 entomological services.

13 3. The environmental services division, which is responsible for  
14 regulating seed, feed and agricultural chemicals, including pesticides and  
15 fertilizers, and for native plant protection.

16 4. The weights and measures services division, which is responsible  
17 for the inspection, testing and licensing of commercial weighing,  
18 measuring and counting devices.

19 5. The pest management division, which is responsible for  
20 regulating pest management and pest management services as defined in  
21 section 3-3601.

22 6. The citrus, fruit and vegetable division, which is responsible  
23 for the citrus, fruit and vegetable standardization and produce safety  
24 program under chapter 3, articles 2, 4, 4.1 and 4.3 of this title.

25 B. The following are established in addition to and separate from  
26 the divisions of the department:

27 1. The state agricultural laboratory.

28 2. The office of agriculture safety.

29 3. The office of inspections.

30 4. The office of commodity development and promotion.

31 5. THE OFFICE OF AGRICULTURAL INTELLIGENCE.

32 C. The department shall have a central administrative service  
33 office providing:

34 1. Data processing, accounting and budgeting, records management,  
35 publications, property control and personnel services and training.

36 2. A program to cross-train appropriate personnel to enable them to  
37 perform similar functions or comparable work for different administrative  
38 units in the department.

39 Sec. 2. Title 3, chapter 1, Arizona Revised Statutes, is amended by  
40 adding article 6, to read:

41 ARTICLE 6. OFFICE OF AGRICULTURAL INTELLIGENCE

42 3-171. Office of agricultural intelligence; powers; duties

43 A. THE OFFICE OF AGRICULTURAL INTELLIGENCE IS ESTABLISHED WITHIN  
44 THE DEPARTMENT.

1           B. THE OFFICE SHALL:  
2           1. ADMINISTER AND ENFORCE THIS ARTICLE, INCLUDING REPORTING  
3 VIOLATIONS OF THIS ARTICLE TO THE ATTORNEY GENERAL.  
4           2. INVESTIGATE, COLLECT AND ANALYZE POTENTIAL VIOLATIONS OF THIS  
5 ARTICLE.  
6           3. COOPERATE WITH THE ATTORNEY GENERAL IN ANY ACTION COMMENCED  
7 PURSUANT TO THIS ARTICLE.  
8           C. THE DIRECTOR MAY DESIGNATE ANY EMPLOYEE OF THE DEPARTMENT TO THE  
9 OFFICE OF AGRICULTURAL INTELLIGENCE.  
10          3-172. Prohibition against land ownership; foreign ownership;  
11               natural products; exemption; enforcement; rules;  
12               violation; classification; definitions  
13           A. NOTWITHSTANDING ANY OTHER LAW, THE FOLLOWING MAY NOT PURCHASE,  
14 ACQUIRE OR CONTROL TITLE OR ANY INTEREST IN AGRICULTURAL LAND OR LAND THAT  
15 IS PRIMARILY USED TO HARVEST TIMBER, MINERALS, GRAVEL OR OTHER NATURAL  
16 PRODUCTS IN THIS STATE:  
17           1. AN AGENT OF A DESIGNATED COUNTRY.  
18           2. AN AGENT OF A COMPANY OR OTHER LEGAL ENTITY WITH A MAJORITY  
19 CONTROL BY CITIZENS OF A DESIGNATED COUNTRY.  
20           3. AN INDIVIDUAL WHO IS A CITIZEN OF A DESIGNATED COUNTRY OR WHOSE  
21 OPERATIONS ARE HEADQUARTERED IN A DESIGNATED COUNTRY.  
22           B. THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO IS A LAWFUL  
23 PERMANENT RESIDENT OF THE UNITED STATES.  
24           C. A PERSON THAT IS IN VIOLATION OF SUBSECTION A OF THIS SECTION  
25 SHALL DIVEST THE PERSON'S INTEREST IN LAND IN THIS STATE NOT MORE THAN TWO  
26 YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION WITHOUT PENALTY.  
27           D. THE ATTORNEY GENERAL AND THE OFFICE OF AGRICULTURAL INTELLIGENCE  
28 SHALL ENFORCE THIS SECTION. IF THE ATTORNEY GENERAL REASONABLY SUSPECTS A  
29 VIOLATION OF THIS SECTION OCCURRED, THE ATTORNEY GENERAL SHALL COMMENCE AN  
30 ACTION IN SUPERIOR COURT IN THE COUNTY IN WHICH THE LAND INTEREST IS  
31 LOCATED.  
32           E. IF THE SUPERIOR COURT FINDS THAT TITLE OR ANY INTEREST WAS  
33 OBTAINED IN VIOLATION OF SUBSECTION A OF THIS SECTION, THE COURT SHALL  
34 ENTER AN ORDER:  
35           1. STATING THE COURT'S FINDINGS.  
36           2. DIVESTING THE PERSON'S INTEREST.  
37           3. DIRECTING THE COUNTY TREASURER TO SELL THE AGRICULTURAL LANDS OR  
38 THE LAND INTERESTS IN A MANNER THAT IS CONSISTENT WITH TITLE 42, CHAPTER  
39 18, ARTICLE 7, EXCEPT THAT THE COUNTY TREASURER SHALL FORWARD ANY BALANCE  
40 REMAINING AFTER PAYING THE TAXES, INTERESTS, PENALTIES, FEES AND COSTS TO  
41 THE STATE TREASURER FOR DEPOSIT IN THE STATE GENERAL FUND.  
42           F. THE ARIZONA DEPARTMENT OF AGRICULTURE, IN CONJUNCTION WITH THE  
43 DEPARTMENT OF LAW, SHALL ADOPT RULES TO IMPLEMENT THIS SECTION.  
44           G. A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF A  
45 CLASS 6 FELONY.

1           H. FOR THE PURPOSES OF THIS SECTION:  
2           1. "AGRICULTURAL LANDS" HAS THE SAME MEANING PRESCRIBED IN SECTION  
3 37-1002.  
4           2. "CONTROL" MEANS OWNERSHIP OF NOT LESS THAN FIFTY PERCENT OF THE  
5 VOTING OWNERSHIP INTEREST OF AN ORGANIZATION NECESSARY TO ELECT A  
6 GOVERNING AUTHORITY.  
7           3. "DESIGNATED COUNTRY" MEANS AFGHANISTAN, BELARUS, CUBA, IRAN,  
8 IRAQ, LIBYA, NORTH KOREA, SYRIA, VIETNAM, MYANMAR, CHINA, HAITI, LIBERIA,  
9 RWANDA, SOMALIA, SUDAN OR THE DEMOCRATIC REPUBLIC OF THE CONGO OR ANY  
10 UNITED SECURITY COUNCIL ARMS EMBARGOED COUNTRY.