

Senate Engrossed

agricultural land; foreign ownership; violation

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

# SENATE BILL 1004

AN ACT

AMENDING TITLE 33, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 33-443; 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. Title 33, chapter 4, article 3, Arizona Revised  
3 Statutes, is amended by adding section 33-443, to read:

4 33-443. Prohibition against land ownership; foreign  
5 ownership; natural products; exemption;  
6 enforcement; rules; violation; classification;  
7 definitions

8 A. NOTWITHSTANDING ANY OTHER LAW, THE FOLLOWING MAY NOT PURCHASE,  
9 ACQUIRE OR CONTROL TITLE OR ANY INTEREST IN AGRICULTURAL LAND OR LAND THAT  
10 IS PRIMARILY USED TO HARVEST TIMBER, MINERALS, GRAVEL OR OTHER NATURAL  
11 PRODUCTS IN THIS STATE:

12 1. AN AGENT OF A DESIGNATED COUNTRY.

13 2. AN AGENT OF A COMPANY OR OTHER LEGAL ENTITY WITH A MAJORITY  
14 CONTROL BY CITIZENS OF A DESIGNATED COUNTRY.

15 3. AN INDIVIDUAL WHO IS A CITIZEN OF A DESIGNATED COUNTRY OR WHOSE  
16 OPERATIONS ARE HEADQUARTERED IN A DESIGNATED COUNTRY.

17 B. THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO IS A LAWFUL  
18 PERMANENT RESIDENT OF THE UNITED STATES.

19 C. THE ATTORNEY GENERAL SHALL ENFORCE THIS SECTION. IF THE  
20 ATTORNEY GENERAL REASONABLY SUSPECTS A VIOLATION OF THIS SECTION OCCURRED,  
21 THE ATTORNEY GENERAL SHALL COMMENCE AN ACTION IN SUPERIOR COURT IN THE  
22 COUNTY IN WHICH THE LAND INTEREST IS LOCATED.

23 D. IF THE SUPERIOR COURT FINDS THAT TITLE OR ANY INTEREST WAS  
24 OBTAINED IN VIOLATION OF SUBSECTION A OF THIS SECTION, THE COURT SHALL  
25 ENTER AN ORDER:

26 1. STATING THE COURT'S FINDINGS.

27 2. DIVESTING THE PERSON'S INTEREST.

28 3. DIRECTING THE COUNTY TREASURER TO SELL THE AGRICULTURAL LANDS OR  
29 THE LAND INTERESTS IN A MANNER THAT IS CONSISTENT WITH TITLE 42, CHAPTER  
30 18, ARTICLE 7, EXCEPT THAT THE COUNTY TREASURER SHALL FORWARD ANY BALANCE  
31 REMAINING AFTER PAYING THE TAXES, INTERESTS, PENALTIES, FEES AND COSTS TO  
32 THE STATE TREASURER FOR DEPOSIT IN THE STATE GENERAL FUND.

33 E. THE DEPARTMENT OF LAW SHALL ADOPT RULES TO IMPLEMENT THIS  
34 SECTION.

35 F. A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF A  
36 CLASS 6 FELONY.

37 G. FOR THE PURPOSES OF THIS SECTION:

38 1. "AGRICULTURAL LANDS" HAS THE SAME MEANING PRESCRIBED IN SECTION  
39 37-1002.

40 2. "CONTROL" MEANS OWNERSHIP OF NOT LESS THAN FIFTY PERCENT OF THE  
41 VOTING OWNERSHIP INTEREST OF AN ORGANIZATION NECESSARY TO ELECT A  
42 GOVERNING AUTHORITY.

1           3. "DESIGNATED COUNTRY" MEANS A COUNTRY THAT IS IDENTIFIED BY THE  
2 UNITED STATES DIRECTOR OF NATIONAL INTELLIGENCE AS A COUNTRY THAT POSES A  
3 RISK TO THE NATIONAL SECURITY OF THE UNITED STATES IN EACH OF THE THREE  
4 MOST RECENT ANNUAL THREAT ASSESSMENTS OF THE UNITED STATES INTELLIGENCE  
5 COMMUNITY ISSUED PURSUANT TO SECTION 108B OF THE NATIONAL SECURITY ACT OF  
6 1947 (50 UNITED STATES CODE SECTION 3043b).