

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 1546

7 By: Patzkowsky

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10 POLICY COMMITTEE RECOMMENDATION

11 An Act relating to alien ownership of land; amending
12 60 O.S. 2021, Section 121, as last amended by Section
13 1, Chapter 373, O.S.L. 2024 (60 O.S. Supp. 2024,
14 Section 121), which relates to prohibition of alien
15 ownership of land; defining terms; providing nations
16 that are considered a foreign government adversary;
17 prohibiting certain ownership by certain parties; and
18 providing an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 60 O.S. 2021, Section 121, as last
21 amended by Section 1, Chapter 373, O.S.L. 2024 (60 O.S. Supp. 2024,
22 Section 121), is amended to read as follows:

23 Section 121. A. As used in Sections 121 through 127 of this
24 title:

1 1. "Agricultural and forestry property" means all real property
2 used for raising, harvesting, and selling crops or for the feeding,
3 breeding, management, raising, sale of, or the production of
4 livestock, or for the growing and sale of timber and forest
5 products;

6 2. "Critical infrastructure facility" mean any of the
7 following:

8 a. a chemical manufacturing facility,

9 b. a refinery,

10 c. a plant or facility producing electric energy no
11 matter how generated or produced,

12 d. a water treatment facility or wastewater treatment
13 plant,

14 e. a liquid natural gas terminal,

15 f. a telecommunications central switching office, and

16 g. gas processing plant, including any plant used in the
17 processing, treatment, or fractionation of natural
18 gas;

19 ~~1.~~ 3. "Deed" means any instrument in writing whereby land is
20 assigned, transferred, or otherwise conveyed to, or vested in, the
21 person coming into title or, at his or her direction, any other
22 person;

23 ~~2.~~ 4. "Foreign government adversary" means a government other
24 than the federal government of the United States, the government of

1 any state, political subdivision of the state, tribe, territory, or
2 possession of the United States and designated by the United States
3 Secretary of State as hostile or a Country of Particular Concern
4 (CPC); furthermore, the following governments shall be considered
5 foreign government adversaries:

- 6 a. China,
- 7 b. Iran,
- 8 c. North Korea, and
- 9 d. Russia;

10 ~~3.~~ 5. "Foreign government enterprise" means a business entity,
11 sovereign wealth fund, or state-backed investment fund in which a
12 foreign government adversary holds a controlling interest;

13 ~~4.~~ 6. "Foreign government entity" means a government other than
14 the federal government of the United States, the government of any
15 state, political subdivision of the state, tribe, territory, or
16 possession of the United States; ~~and~~

17 7. "Foreign principal" means any of the following:

- 18 a. the government or any official of the government of a
19 foreign government adversary,
- 20 b. a political party or member of a political party or
21 any subdivision of a political party in a country
22 deemed a foreign government adversary, or

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1 c. a country or government identified on any sanctions
2 list of the United State Department of the Treasury's
3 Office of Foreign Assets Control;

4 ~~5.~~ 8. "Land" means the same as defined in Section 6 of this
5 title, but shall not include oil, gas, other minerals, or any
6 interest therein.

7 9. "Military installation" means a base, camp, post, station,
8 yard, or center that is under the jurisdiction of the Department of
9 Defense or its affiliates including the Oklahoma National Guard,
10 encompassing at least ten (10) contiguous acres; and

11 10. "Real property" means any land, buildings, fixtures, and
12 all other improvements to land.

13 B. No alien or any person who is not a citizen of the United
14 States or foreign government adversary shall acquire title to or own
15 land in this state either directly or indirectly through a business
16 entity, trust, or foreign government enterprise, except as
17 hereinafter provided, but they shall have and enjoy in this state
18 such rights as to personal property as are, or shall be, accorded a
19 citizen of the United States under the laws of the nation to which
20 such alien belongs, or by the treaties of such nation with the
21 United States, except as the same may be affected by the provisions
22 of Section 121 et seq. of this title or the Constitution of this
23 state. Provided, however, the requirements of this subsection shall
24 not apply to a business entity that is engaged in regulated

1 interstate commerce or has a national security agreement with the
2 Committee on Foreign Investment in the United States (CFIUS) in
3 accordance with federal law.

4 C. On or after November 1, 2023, any deed recorded with a
5 county clerk shall include as an exhibit to the deed an affidavit
6 executed by the person, the person's attorney-in-fact, a court-
7 appointed guardian or personal representative, an authorized officer
8 of the entity, or trustee of the trust coming into title attesting
9 that the person, business entity, or trust is obtaining the land in
10 compliance with the requirements of this section and that no funding
11 source is being used in the sale or transfer in violation of this
12 section or any other state or federal law. A county clerk shall not
13 accept and record any deed without an affidavit as required by this
14 section which is duly notarized pursuant to Title 49 of the Oklahoma
15 Statutes. The requirements of this subsection shall not apply to a:

16 1. Deed which, without additional consideration, confirms,
17 corrects, modifies, or supplements a deed previously recorded;

18 2. Deed made by a grantor to cure a defect in title or
19 effectuate a disclaimer of interest in real property;

20 3. Transfer-on-death deed made by a grantor designating a
21 grantee beneficiary pursuant to the Nontestamentary Transfer of
22 Property Act, Section 1251 et seq. of Title 58 of the Oklahoma
23 Statutes;

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1 4. State or federal court order in an action to quiet title or
2 to cure a defect in title;

3 5. State or federal court order or decree in probate,
4 partition, quiet title, and divorce actions;

5 6. Deed which secures a debt or other obligation, or which
6 releases such property as security for a debt or other obligation;

7 7. Deed of dedication to the public; or

8 8. Deed in favor of the United States or any of its political
9 subdivisions, a state or any of its political subdivisions, or a
10 tribe.

11 The applicable exemption shall be shown on the face of the deed
12 prior to the recording of the deed and no affidavit shall be
13 required.

14 D. The Attorney General shall promulgate a separate affidavit
15 form for individuals and for business entities or trusts to comply
16 with the requirements of this section. The Attorney General may
17 establish additional exemptions which the Attorney General deems
18 necessary to substantially comply with the requirements of this
19 section. The county clerk may accept an affidavit in substantial
20 compliance with the affidavit form promulgated by the Attorney
21 General.

22 E. Notwithstanding any other law, no foreign principal shall
23 acquire title to, or acquire a controlling interest in, any of the
24 following:

1 1. Agricultural and forest property; or

2 2. Real property on or within two hundred (200) miles of any
3 military installation or critical infrastructure facility.

4 SECTION 2. This act shall become effective November 1, 2025.

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6 60-1-12817 AO 02/20/25