

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 727

By: Weaver

AS INTRODUCED

An Act relating to foreign ownership of land; amending 60 O.S. 2021, Section 121, as last amended by Section 1, Chapter 373, O.S.L. 2024 (60 O.S. Supp. 2024, Section 121), which relates to prohibition of alien or foreign government adversary ownership of land; defining terms; prohibiting foreign adversary company ownership of land in this state; and providing an effective date.

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

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

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

1. "Deed" means any instrument in writing whereby land is assigned, transferred, or otherwise conveyed to, or vested in, the

1 person coming into title or, at his or her direction, any other
2 person;

3 2. "Country of Particular Concern" means any country designated
4 by the United States Secretary of State as hostile or a Country of
5 Particular Concern (CPC);

6 3. "Foreign adversary company" means any company other than a
7 U.S. person or U.S. subsidiary as defined in 15 C.F.R., Section
8 772.1 that:

- 9 a. is domiciled, incorporated, issued, or listed in a
10 CPC,
- 11 b. is headquartered in a CPC,
- 12 c. has its principal place of business in a CPC,
- 13 d. is controlled by the government of a CPC or the
14 military or ruling political party of a CPC, or
- 15 e. is majority-owned by an entity controlled by the
16 government of a CPC or the military or ruling
17 political party of a CPC.

18 If a parent company does not meet any of the criteria listed in
19 this paragraph and does not recognize more than fifty percent (50%)
20 of the total annual global revenue of the parent company and
21 subsidiaries from a CPC, the parent company shall not be considered
22 a foreign adversary company solely because one or more subsidiaries
23 or affiliates meets the criteria set forth in subparagraph a of this
24 paragraph;

1 4. "Foreign government adversary" means a government other than
2 the federal government of the United States, the government of any
3 state, political subdivision of the state, tribe, territory, or
4 possession of the United States and designated by the United States
5 Secretary of State as hostile or a Country of Particular Concern
6 (CPC);

7 ~~3.~~ 5. "Foreign government enterprise" means a business entity,
8 sovereign wealth fund, or state-backed investment fund in which a
9 foreign government adversary holds a controlling interest;

10 ~~4.~~ 6. "Foreign government entity" means a government other than
11 the federal government of the United States, the government of any
12 state, political subdivision of the state, tribe, territory, or
13 possession of the United States; and

14 ~~5.~~ 7. "Land" means the same as defined in Section 6 of this
15 title, but shall not include oil, gas, other minerals, or any
16 interest therein.

17 B. No alien or any person who is not a citizen of the United
18 States, foreign adversary company, or foreign government adversary
19 shall acquire title to or own land in this state either directly or
20 indirectly through a business entity, trust, or foreign government
21 enterprise, except as hereinafter provided, but they shall have and
22 enjoy in this state such rights as to personal property as are, or
23 shall be, accorded a citizen of the United States under the laws of
24 the nation to which such alien belongs, or by the treaties of such

1 nation with the United States, except as the same may be affected by
2 the provisions of Section 121 et seq. of this title or the
3 Constitution of this state. Provided, however, the requirements of
4 this subsection shall not apply to a business entity that is engaged
5 in regulated interstate commerce or has a national security
6 agreement with the Committee on Foreign Investment in the United
7 States (CFIUS) in accordance with federal law.

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

- 20 1. Deed which, without additional consideration, confirms,
21 corrects, modifies, or supplements a deed previously recorded;
- 22 2. Deed made by a grantor to cure a defect in title or
23 effectuate a disclaimer of interest in real property;

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

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

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

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

11 7. Deed of dedication to the public; or

12 8. Deed in favor of the United States or any of its political
13 subdivisions, a state or any of its political subdivisions, or a
14 tribe.

15 The applicable exemption shall be shown on the face of the deed
16 prior to the recording of the deed and no affidavit shall be
17 required.

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

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

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