

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1503

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 54-12 and a new subsection to section 54-12-01 of the North Dakota Century Code, relating to ownership of real property and commercial assets by foreign adversaries.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

Regulation of covered persons.

Notwithstanding any other provision of law:

1. For purposes of this section:

- a. "Covered person" means an individual, person, or entity that owns or controls any real estate or commercial assets, or operates a business within this state which is owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries or individuals acting on behalf of or in conjunction with foreign adversaries.
 - b. "Entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization.
 - c. "Foreign adversary" means any foreign government or foreign nongovernment person engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons originating from:
 - (1) The People's Republic of China, including the Hong Kong Special Administrative Region;
 - (2) The Republic of Cuba;
 - (3) The Islamic Republic of Iran;
 - (4) The Democratic People's Republic of Korea;
 - (5) The Russian Federation; or
 - (6) The Maduro Regime from Venezuela.
2. A covered person may not own real estate, commercial assets, or operate a business within this state without first registering as a covered person with and obtaining a permit from the attorney general. The registration of a covered person must include:

- a. The beneficial or ownership interests of all entities associated with the covered person operating in this state, including the nation in which the covered person and all related entities are domiciled, operated within and from, or owned wholly or in part; and
 - b. Whether the covered person or any related individual, person, or entity, has participated in a review conducted by the federal committee on foreign investment in the United States, whether specific to or separate from the intended activities of the persons and related persons in this state.
3. Upon receiving the information in subsection 2, the attorney general shall conduct a state security review. The review must:
 - a. Be completed within ninety days of receiving the information under subsection 2;
 - b. Include information from any federal and state military and intelligence organizations operating within this state;
 - c. Be conducted in conjunction with any relevant state, county, or municipal bodies to assess the potential impacts to any federal or state military and intelligence organizations operating within the state;
 - d. Be made available as a public record if the covered person conducts business in this state; and
 - e. Be conducted annually by the attorney general to ensure the covered individual is not a security threat to this state.
4. If at any point the attorney general review uncovers any criminal activity under county, state, or federal law within the previous five-year period, the permit must be revoked immediately. Any violations or criminal activity by the covered person or related entity must be reported immediately to the attorney general and all relevant state and federal authorities.
5. This section applies to any covered person that wishes to register in, domicile in, or otherwise operate a business or charitable enterprise, or obtain any beneficial interest in real estate, commercial assets, or a business or charitable entity within this state.
6. Any entity, on the effective date of this Act, owning real estate or commercial assets or operating a business, that would otherwise be considered a covered person under this section, is subject to the annual permit review process effective one hundred eighty days from the effective date of this Act.

SECTION 2. A new subsection to section 54-12-01 of the North Dakota Century Code is created and enacted as follows:

Conduct reviews and issue permits to a covered person under section 1 of this Act and continue to assess threats to the state from malign activities, efforts, or influence by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary or nationals."

Renumber accordingly