

4. Any foreign government or foreign business entity that violates this section shall divest itself of the real property within thirty-six months.
5. If the foreign government or foreign business entity fails to divest itself of the real property within the required time determined by the attorney general, the attorney general may:
 - a. issue subpoenas to compel witnesses to appear; or
 - b. subpoena for production of evidence to compel witnesses to appear and produce relevant books, records, documents, data, or other objects.
6. Upon receiving testimony and records, if the attorney general concludes the foreign government or foreign business entity failed to divest ownership or real property under this section, the attorney general shall commence an action in the district court of the county in which the majority of the real property is situated. Once the action is commenced, the attorney general shall file a notice pursuant to section 28-05-07. If the court finds divestment of the real property under this section is proper, the district court shall order judgement consistent with its findings. As part of the order, the court shall cancel the notice pursuant to section 28-05-08.
7. Pursuant to an order for divestment, if an appeal has not been taken within the time prescribed by law, the foreign government or foreign business entity shall divest of all real property within six months from the date of the final entry of judgement.
 - a. A foreign government or foreign business entity that fails to comply with the court's order is subject to a civil penalty not to exceed twenty-five thousand dollars.
8. Any real property not divested within the period prescribed must be sold at a public sale in the manner pursuant by chapter 32-19, through an action brought by the attorney general. No title to real property or encumbrance on the real property shall be deemed invalid by any order of divestiture at any time under this section.
9. Other than the attorney general, no individual, person, or entity not subject to this section shall be required to:
 - a. determine whether another individual, person, or entity is subject to this section; or
 - b. inquire if another individual, person, or entity is subject this section.
10. For purposes of this subsection, "foreign adversary" means an individual or a government identified as a foreign adversary in 15 CFR 7.4(a) or the office of foreign assets control sanctions list.

SECTION 4. LEGISLATIVE MANAGEMENT STUDY – REAL ESTATE OWNERSHIP AND CONDUCT OF BUSINESS BY FOREIGN ADVERSARIES.

1. During the 2023-24 interim, the legislative management shall study the number of persons that own or control any real estate or commercial assets or operate a business within this state which is owned by, controlled by, or subject to the jurisdiction of or direction of foreign adversaries or individuals acting on behalf of or in conjunction with foreign adversaries or persons listed on the office of foreign assets control sanctions list.

2. The study must attempt to ascertain the number of such persons residing in this state which operate a business or a charitable enterprise or have obtained a beneficial interest in real estate, commercial assets, or a business or charitable organization in this state.
3. The study must consider which federal foreign adversary list would be best suited for use for the security of this state and the impact of implementing a federally created list.
4. The study must determine how to create and implement a federally created list that would:
 - a. Review business records and perform background checks on any existing entity not considered a foreign adversary;
 - b. Identify optimal methods for state officials to work and collaborate with national intelligence agents at the state and federal level; and
 - c. Outline what constitutes a national security threat and which person or agency has the authority to declare a national security threat.
5. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-ninth legislative assembly.