

HOUSE BILL NO. 1555

Introduced by

Representative Hoverson

1 A BILL for an Act to amend and reenact section 47-10.1-05 of the North Dakota Century Code,
2 relating to required filings for foreign persons investing in agricultural lands; to repeal section
3 47-10.1-05 of the North Dakota Century Code, relating to required filings for foreign persons
4 investing in agricultural lands; and to provide a contingent effective date.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 47-10.1-05 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **47-10.1-05. Reports - Annual report to the legislative management - Penalty.**

9 ~~The commissioner shall monitor for compliance with this chapter all reports transmitted to~~
10 ~~the commissioner pursuant to~~

- 11 1. A foreign person required to make a report to the United States department of
12 agriculture under the Agricultural Foreign Investment Disclosure Act of 1978 [Pub. L.
13 95-460; 92 Stat, 1263; 7 U.S.C. 3501 et seq.] shall file a copy of the report with the
14 agriculture commissioner within the time required under title 7, Code of Federal
15 Regulations, part 781.3. The commissioner shall make the reports available to the
16 public.
- 17 2. The commissioner shall provide an annual report to the legislative management by
18 September first of each year. The report must include the number of filings submitted
19 to the commissioner and the number of acres in each county owned by a foreign
20 person required to report under subsection 1.
- 21 3. If a person fails to file a copy of the report required under subsection 1, the attorney
22 general shall impose a civil penalty of up to twenty-five percent of the fair market
23 value, as determined on the date the penalty was imposed, of the person's ownership
24 interest in the agricultural land in this state. The attorney general shall commence an

1 action to collect the civil penalty in the district court of the county in which the majority
2 of the real property is situated or in Burleigh County.

3 **SECTION 2. REPEAL.** Section 47-10.1-05 of the North Dakota Century Code is repealed.

4 **SECTION 3. CONTINGENT EFFECTIVE DATE.** Section 2 of this Act becomes effective on
5 the date the legislative council receives certification from the agriculture commissioner that the
6 Agricultural Foreign Investment Disclosure Act of 1978 [Pub. L. 95-460; 92 Stat, 1263; 7 U.S.C.
7 3501 et seq.] has been repealed.