

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1045

Page 1, line 3, after "1-04-09" insert ", 1-08-08"

Page 1, line 19, replace the second "section" with "sections 42-04-01,"

Page 1, line 20, after "45-10.1-02" insert ", section 47-10.1-02"

Page 1, line 25, after "sections" insert "10-19.1-03,"

Page 2, after line 13, insert:

"SECTION 2. AMENDMENT. Section 1-08-08 of the North Dakota Century Code is amended and reenacted as follows:

1-08-08. Validation of land titles acquired by corporations ~~prior to~~ before March 7, 1935. The title and ownership of any real estate acquired in any manner by any domestic or foreign corporation after July 29, 1932, and ~~prior to~~ before March 7, 1935, is hereby declared to be valid for all purposes, subject, however, to all of the provisions contained in chapter ~~40-06~~ 10-06.1."

Page 36, after line 18, insert:

"SECTION 61. AMENDMENT. Section 42-04-01 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

42-04-01. "Agricultural operation" defined. As used in this chapter, "agricultural operation" means the science and art of production of plants and animals useful to ~~man~~ people, by a corporation ~~as provided in chapter 10-06~~, or a limited liability company as allowed under chapter 10-06.1, a partnership, or a proprietorship, and including, to a variable extent, the preparation of these products for ~~man's~~ people's use and their disposal by marketing or otherwise, and includes horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee, and any and all forms of farm products, and farm production."

Page 38, after line 18, insert:

"SECTION 66. AMENDMENT. Section 47-10.1-02 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

47-10.1-02. Restriction on acquisition - Exceptions. A person who is not a citizen of the United States or a citizen of Canada, except a permanent resident alien of the United States, may not acquire directly or indirectly any interest in agricultural land. A partnership, limited partnership, limited liability company, trustee, or other business entity may not, directly or indirectly, acquire or otherwise obtain any interest, whether legal, beneficial, or otherwise, in any title to agricultural land unless the ultimate beneficial interest of the entity is held directly or indirectly by citizens of the United States or permanent resident aliens of the United States. This section does not apply to

agricultural land that may be acquired by devise, inheritance, as security for indebtedness, by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that all agricultural land acquired in the collection of debts or by the enforcement of a lien or claim shall be disposed of within three years after acquiring ownership, if the acquisition would otherwise violate this section. This section does not apply to a foreign corporation or a foreign limited liability company which acquires agricultural land for use as an industrial site where construction contracts are entered into by the corporation or limited liability company within one hundred fifty days after acquisition of the land; provided, that this exception shall only apply to so much agricultural land as is reasonably necessary for industrial purposes. A foreign corporation or a foreign limited liability company which owns agricultural land for industrial purposes but which discontinues using the land for industrial purposes shall dispose of the land as provided by chapter ~~40-06~~ 10-06.1. A foreign corporation or foreign limited liability company shall dispose of agricultural land acquired for industrial purposes within one year after acquisition if construction contracts are not entered into within one hundred fifty days after acquisition of the land. This section does not apply to citizens or subjects of a foreign country whose rights to hold land are secured by treaty or to common carriers by railroad subject to the jurisdiction of the interstate commerce commission."

Page 44, line 29, after "Sections" insert "10-19.1-03,"

Renumber accordingly