

SENATE BILL NO. 203

INTRODUCED BY K. BOGNER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW FOR THE TRANSFER OF CRITICAL INFRASTRUCTURE AND AGRICULTURAL LAND; PROHIBITING THE SALE, LEASE, OR RENTAL OF CRITICAL INFRASTRUCTURE OR LAND USED FOR AGRICULTURAL PRODUCTION TO FOREIGN ADVERSARIES OR CORPORATIONS DOMICILED IN FOREIGN ADVERSARY NATIONS; AND PROVIDING DEFINITIONS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Prohibited transactions with foreign adversaries. (1) ~~An entity provided for in this title may not:~~

~~(a) sell, lease, or rent critical infrastructure or land used for agricultural production to a foreign adversary; or~~

~~(b) enter into a contract with a foreign adversary that results in the foreign adversary's control of agricultural production land or critical infrastructure in this state.~~ A FOREIGN ADVERSARY MAY NOT:

(A) BUY, LEASE, OR RENT CRITICAL INFRASTRUCTURE OR LAND USED FOR AGRICULTURAL PRODUCTION FROM AN ENTITY PROVIDED FOR IN THIS TITLE; OR

(B) ENTER INTO A CONTRACT WITH AN ENTITY PROVIDED FOR IN THIS TITLE THAT RESULTS IN THE FOREIGN ADVERSARY'S CONTROL OF AGRICULTURAL PRODUCTION LAND OR CRITICAL INFRASTRUCTURE IN THIS STATE.

(2) A FOREIGN ADVERSARY THAT VIOLATES THIS SECTION SHALL DIVEST FROM ITS INTEREST IN CRITICAL INFRASTRUCTURE OR LAND USED FOR AGRICULTURAL PRODUCTION WITHIN 1 YEAR, AFTER WHICH TIME THE PROPERTY MAY BE SOLD AT PUBLIC AUCTION BY THE COUNTY SHERIFF OF ANY COUNTY WHERE THE CRITICAL INFRASTRUCTURE OR LAND USED FOR AGRICULTURAL PRODUCTION IS LOCATED.

(3) THE ATTORNEY GENERAL OR COUNTY WHERE THE CRITICAL INFRASTRUCTURE OR LAND USED FOR AGRICULTURAL PRODUCTION IS LOCATED MAY BRING A SUIT TO ENFORCE THIS SECTION.

~~(2)~~(4) As used in this section, the following definitions apply:

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10 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an

11 integral part of Title 35, and the provisions of Title 35 apply to [section 1].

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