



HOUSE BILL 463: NC Farmland and Military Protection Act.

2023-2024 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	April 25, 2023
Introduced by:	Reps. Bell, Balkcom, Zenger, Moore	Prepared by:	Brad Krehely
Analysis of:	PCS to First Edition H463-CSR-N-14		Staff Attorney

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 463 would prohibit adversarial foreign governments from purchasing, acquiring, leasing, or holding any interest in agricultural land or land situated within a 25-mile radius of a military installation. The PCS would modify the definition of "agricultural land" and create a definition of "military installation."*

CURRENT LAW: "It is lawful for aliens to take both by purchase and descent, or other operation of law, any lands, tenements or hereditaments, and to hold and convey the same as fully as citizens of this State can or may do. . . ." G.S. 64-1. All contracts to purchase or sell real estate by or with aliens are valid. G.S. 64-2.

BILL ANALYSIS: The PCS for House Bill 463 would prohibit adversarial foreign governments from purchasing, acquiring, leasing, or holding any interest in agricultural land or land situated within a 25-mile radius of a military installation. An "adversarial foreign government" includes either of the following:

- Any "state controlled enterprise" (a business enterprise, however denominated, in which a foreign government has a controlling interest).
- The government of a foreign nation that has received a designation under 15 C.F.R. § 7.4 from a determination by the United States Secretary of Commerce that the entity has 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. The nations to whom this would currently apply are: China, Cuba, Iran, North Korea, and Russia.

The act would provide that any transfer of an interest in land in violation of this section would be void.

EFFECTIVE DATE: The act would become effective January 1, 2024, and would apply only to interests in land acquired on or after that date.

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