



HOUSE BILL 133: NC Farmland and Military Protection Act.

2025-2026 General Assembly

Analysis of: S.L. 2026-54

Date: August 18, 2026

Prepared by: Legislative Analysis
Division Staff

S.L. 2026-54 (House Bill 133) prohibits a prohibited foreign party from purchasing, acquiring, leasing, or holding any interest, except for a de minimis direct interest, in (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation.

Definitions – The following definitions apply to this Act:

- An "adversarial foreign government" is a nation that is prohibited by the federal government from importing or exporting defense items under the International Traffic Arms Regulations.
- A "prohibited foreign party" is any of the following, unless the entity is approved by the Committee on Foreign Investments in the United States:
 - An adversarial foreign government or a foreign government formed within an adversarial foreign government.
 - An entity or trust, other than a government, that is created or organized under the laws of a foreign government within an adversarial foreign government.
 - An entity or trust, other than a government, that meets certain criteria.
 - An agent, trustee, or other fiduciary of any entity in the above categories.

Land Held by a Prohibited Foreign Party Prior to April 1, 2027 – This Act allows a prohibited foreign party that holds any interest in either (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation prior to April 1, 2027, to continue to hold those lands. However, a "prohibited foreign party" cannot acquire any new interest in such lands and must register with the Secretary of State. Failure to register is punishable by a civil penalty of at least \$1,000 per day, and any unpaid balance would constitute a lien against the land.

Land Acquired by a Prohibited Foreign Party After April 1, 2027 – A prohibited foreign party that acquires either (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation after April 1, 2027, must divest itself of the land within one year of the acquisition. If the prohibited foreign entity fails to divest itself, the Attorney General must commence a receivership proceeding in the county where the property is situated seeking the appointment of a general receiver.

Affidavit Required – At a time no later than the time of closing, a buyer of either (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation, must provide an affidavit, which would be attached as an exhibit to a deed, attesting that the buyer is not a prohibited foreign party and is in compliance with this Act. Failure to obtain or maintain the affidavit would not affect the title or insurability of the title. A county's Register of Deeds must record affidavits as an exhibit to the deed.

Kara McCraw
Director



Legislative Analysis
Division
919-733-2578

House Bill 133

Page 2

Liability – No person, other than a prohibited foreign party, bears any civil or criminal liability for any of the following:

- Failing to determine or make inquiry of whether any entity is a prohibited foreign party.
- Failing to obtain, maintain, or otherwise comply with the affidavit requirement.

However, if a person knowingly sold either (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation to a prohibited foreign party, that person is guilty of a Class 2 misdemeanor.

Map – The North Carolina Real Estate Commission, in coordination with the Department of Military and Veterans Affairs, must develop and publish a map outlining the boundaries of certain military facilities by April 1, 2027, and maintain the map by annually publishing an updated version.

The requirement that the North Carolina Real Estate Commission develop and publish a map outlining the boundaries of certain military facilities by April 1, 2027, became effective July 7, 2026. Additionally, a severability clause and the effective date requirements for this Act became effective July 7, 2026.

The remainder of this Act becomes effective April 1, 2027.