## HB379 ENROLLED



- 1 LO4EAA-3
- 2 By Representatives Stadthagen, Kiel, Shedd, Wood (D), DuBose,
- 3 Butler, Hammett, Robertson, Whorton, Rehm, Pettus, Marques,
- 4 Lee, Stringer, Oliver, Hurst, Lipscomb, Paschal, Hulsey,
- 5 Brown, Mooney, Lamb, Gidley, Kirkland, Carns, Standridge
- 6 RFD: Urban and Rural Development
- 7 First Read: 25-Apr-23
- 8 2023 Regular Session

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1 Enrolled, An Act,

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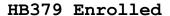
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- 4 Relating to acquisition of title to real property; to
- 5 amend Section 35-1-1, Code of Alabama 1975, to prohibit
- 6 certain governments or governmental entities from acquiring
- 7 certain real property in the state.
- 8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
- 9 Section 1. This act shall be known and may be cited as
- 10 the Alabama Property Protection Act.
- 11 Section 2. For purposes of this section, the following
- 12 words have the following meanings:
- 13 (1) AGRICULTURAL AND FOREST PROPERTY. All real property
- 14 used for raising, harvesting, and selling crops or for the
- 15 feeding, breeding, management, raising, sale of, or the
- 16 production of livestock, or for the growing and sale of timber
- 17 and forest products.
- 18 (2) CRITICAL INFRASTRUCTURE FACILITY. Any of the
- 19 following:
- a. A chemical manufacturing facility.
- b. A refinery.
- 22 c. A plant or facility producing electric energy no
- 23 matter how generated or produced.
- d. A water treatment facility or wastewater treatment
- 25 plant.
- e. A liquid natural gas terminal.
- 27 f. A telecommunications central switching office.
- g. A gas processing plant, including any plant used in

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- 29 the processing, treatment, or fractionation of natural gas.
- h. A seaport facility as defined in Section 40-13-1,
- 31 Code of Alabama 1975.
- i. Aerospace or spaceport infrastructure.
- j. An airport as defined in Section 23-1-411, Code of
- 34 Alabama 1975.
- 35 (3) FOREIGN COUNTRY OF CONCERN. China, Iran, North
- 36 Korea, and Russia. This term shall not include Taiwan.
- 37 (4) FOREIGN PRINCIPAL. Any of the following:
- 38 a. The government or any official of the government of
- 39 a foreign country of concern.
- 40 b. A political party or member of a political party or
- 41 any subdivision of a political party in a foreign country of
- 42 concern.
- c. A country or government identified on any sanctions
- list of the United State Department of the Treasury's Office
- 45 of Foreign Assets Control.
- 46 (5) MILITARY INSTALLATION. A base, camp, post, station,
- 47 yard, or center that is under the jurisdiction of the
- 48 Department of Defense or its affiliates, encompassing at least
- 49 10 contiguous acres.
- 50 (6) REAL PROPERTY. Land, buildings, fixtures, and all
- 51 other improvements to land.
- 52 Section 3. (a) Notwithstanding any other law, no
- foreign principal shall acquire title to, or acquire a
- 54 controlling interest in, any of the following:
- 55 (1) Agricultural and forest property.
- 56 (2) Real property on or within 10 miles of any military





- 57 installation or critical infrastructure facility.
- (b) Subsection (a) shall apply only to the purchase of or other acquisition of title to real property on or after the effective date of this act. The purchase of or other acquisition of title to real property prior to the effective date of this act is governed by the law in effect immediately
- 63 prior to the effective date of this act, and that law is
- 64 continued in effect for that purpose.
- (c) No title insurer, title agent, real estate
- licensee, or other settlement provider as defined by the Real
- 67 Estate Procedures Act, 12 U.S.C. 2601 et seq., shall be liable
- 68 for any violation of Section 4(a).
- Section 4. This act shall become effective on the first
- 70 day of the third month following its passage and approval by
- 71 the Governor, or its otherwise becoming law.

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80	Speaker of the House of Representatives			
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85		President and Presiding Officer	of the Senate	
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88		House of Representatives		
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90	I hereby certify that the within Act originated in and			
91		was passed by the House 09-May-23, as amended.		
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93		John Treadwell		
94		Clerk		
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102	Senate	18-May-23	Passed	
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105	House	23-May-23	Concurred in	
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