S-1666.1

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**SENATE BILL 5754**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Boehnke, Dozier, and Torres

AN ACT Relating to ownership of agricultural real estate; and amending RCW 64.16.005.

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

**Sec.**  RCW 64.16.005 and 2012 c 117 s 195 are each amended to read as follows:

((~~Any~~)) (1) Except as provided in subsection (2) of this section, any alien may acquire and hold lands, or any right thereto, or interest therein, by purchase, devise, or descent; and he or she may convey, mortgage, and devise the same, and if he or she shall die intestate, the same shall descend to his or her heirs, and in all cases such lands shall be held, conveyed, mortgaged, or devised, or shall descend in like manner and with like effect as if such alien were a native citizen of this state or of the United States.

(2)(a) On or after August 1, 2023, nonresident aliens, foreign businesses, agents, trustees, or fiduciaries associated with the government of the people's republic of China shall be prohibited from acquiring directly or indirectly any interest in agricultural, forest, or mineral land.

(b) No corporation, partnership, limited partnership, trustee, or other business entity may directly or indirectly, acquire or otherwise obtain any interest, whether legal, beneficial, or otherwise, in any title to agricultural, forest, or mineral land designated by cities and counties if more than 20 percent of each class of stock issued and outstanding or more than 20 percent of the ultimate beneficial interest of the entity is held directly or indirectly by nonresident aliens, foreign businesses, agents, trustees, or fiduciaries associated with the government of the people's republic of China.

(c) The restrictions on alien land ownership contained in (a) and (b) of this subsection do not apply to:

(i) Land that may be acquired by devise, inheritance, as security for indebtedness, by process of law in collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise. Land acquired in the collection of debts or by the enforcement of a lien or claim shall be disposed of within three years of acquiring ownership; or

(ii) Citizens or subjects of a foreign country whose rights to hold land are secured by treaty.

(d) This prohibition does not apply to agricultural land associated with food processing facilities.

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