

SENATE BILL No. 100

By Committee on Federal and State Affairs

1-25

1 AN ACT concerning real property; relating to the conveyance thereof;
2 prohibiting the conveyance of title to certain real property to foreign
3 individuals and entities.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. As used in sections 1 through 3, and amendments thereto:

7 (a) "Foreign business entity" means:

8 (1) Any corporation, limited liability company, partnership, limited
9 partnership, firm or other association in which the majority of the shares or
10 ownership interest is held by one or more foreign nationals, foreign
11 business entities or foreign governments;

12 (2) any corporation, limited liability company, partnership, limited
13 partnership, firm or other association in which the majority of the shares or
14 ownership interest is held by one or more entities described in paragraph
15 (1); and

16 (3) any agent, trustee or fiduciary of an entity described in paragraph
17 (1);

18 (b) "foreign government" means any branch, bureau, division,
19 department, agency or other political subdivision of the recognized
20 government of any nation other than the United States or any elected
21 officer, employee or agent thereof; and

22 (c) "foreign national" means any individual who is not a citizen of the
23 United States.

24 Sec. 2. (a) Except as provided in subsection (e), on or after July 1,
25 2023, no foreign national or foreign business entity shall purchase, acquire
26 by grant, devise or descent or otherwise own any interest in real property
27 located in this state.

28 (b) A foreign national or foreign business entity may sell or convey
29 all or any portion of an ownership interest in real property located in this
30 state that was acquired prior to July 1, 2023, but shall not sell or otherwise
31 convey such ownership interest to any foreign national or foreign business
32 entity in violation of subsection (a).

33 (c) The attorney general shall investigate any sale, transfer or other
34 conveyance of title to real property located in this state if the attorney
35 general has reason to believe that such transaction violates subsection (a).

36 (d) Violation of this section is a severity level 10, nonperson felony.

1 Real property that is the subject matter of a transaction that violates this
2 section shall be subject to forfeiture under K.S.A. 60-4101 et seq., and
3 amendments thereto.

4 (e) The provisions of this section shall not apply to:

5 (1) Any real property wholly located in Johnson, Sedgwick, Shawnee
6 or Wyandotte county; or

7 (2) any real property that was purchased or otherwise acquired prior
8 to July 1, 2023.

9 Sec. 3. The provisions of sections 1 and 2, and amendments thereto,
10 are hereby declared severable. If any provision of sections 1 and 2, and
11 amendments thereto, or the application thereof is held invalid, such
12 invalidity shall not effect any other provision of sections 1 and 2, and
13 amendments thereto, that can be given effect without the invalid provision.

14 Sec. 4. This act shall take effect and be in force from and after its
15 publication in the statute book.