

# ACRES, AGENTS, AND ACCOUNTABILITY: DEEDS AND DECLARATIONS

September 29, 2025



# Land Ownership - Prohibitions

- Federal law – unlawful for any alien or person not a citizen of the United States to acquire title to, or own, land
  - Exempt: bona fide residents, those declaring intent to become a citizen
- Oklahoma Constitution – Art. 22, § 1
  - No alien or person not a citizen of the U.S. shall acquire title to or own land
  - Exempt: “Indians born within the United States...[and] aliens or persons not citizens of the United States who may become bona fide residents of this State.”
  - Legislature to enact laws for forfeiture or disposal otherwise within five years
- Oklahoma Statutes – 60 O.S. §§ 121-127



# Who is in; who is out?

- Okla. Const. prohibits corporations from owning rural farming land - *Parwal Inv. Co. v. State*, 1918 OK 498
- 1974: Corporation may hold title, but an alien individual may not acquire title to that land upon dissolution - 1974 OK AG 214
- 1976: “Person” includes corporations and government; the 1974 opinion relates to corporations created under American jurisdictions - 1976 OK AG 253
- 1979: corporations cannot own rural farming land; withdraw 1974 opinion - 1979 OK AG 286
- 1981: alien corporations are subject to land ownership restrictions, BUT “person” includes corporations and domesticated corporations are residents - *State ex rel. Cartwright v. Hillcrest Investments, Ltd.*, 1981 OK 27



# State Question 788 and Land Ownership

- SQ 788 (2018) – permitting licensed legal cultivation, use, and possession of marijuana for medicinal purposes.
- Surge in marijuana grow farms, including those connected to foreign enterprises and adversaries
- Public safety and effects on communities
- Legislative response



# Senate Bill 212 (2023)

- Restrict indirect ownership of land by aliens and non-citizens who are not residents of the state
- Deed recorded with a county clerk must have an accompanying affidavit
- Exempt: Business entity engaging in regulated interstate commerce in accordance with federal law
- Attorney General may, in his discretion, exempt any deed when deemed necessary



# Senate Bill 1705 (2024)

- Extends land ownership prohibition to foreign government adversaries and foreign government enterprises
  - Designated by the United States as "hostile" or a Country of Particular Concern
  - Foreign adversary holds controlling interest in a business, sovereign wealth fund, or state-backed investment fund
- Statutory exemptions
  - 2024 OK AG 2
  - Entity with a national security agreement with the Committee on Foreign Investment in the United States (CFIUS)



# House Bill 2905 (2023)

- Gives AG, OBN and OSBI full enforcement authority over medical marijuana laws.
- Allows the AG to subpoena business documents, conduct on-site inspections, seize and destroy illegal products, and to enter into memoranda of understanding with other law enforcement agencies to create a coordinated approach to eradicating illegal grow operations.
- Requires revocation of any business license if the business has intentionally not paid the required taxes and prohibits any future ability to hold a license of any type.
- Limits future grow licenses to one per property.



# Foreign Agents Registration Act

- Agents for foreign governments, political parties, or other foreign principals must register with the Department of Justice, if engaged in political activities
- Political activities: intend to influence U.S. government policies, program, or public opinion on behalf of a foreign principal
  - lobbying and public relations
- Penalties: Criminal – up to five years in prison and \$10,000 fine
- Oklahoma parallels
  - House Bill 1150
  - Senate Bill 660





# Open questions, proposals, & data

- Bona fide resident
  - Remember: Oklahoma Constitution excepts an individual who *may* become a bona fide resident
    - Statute: “is or shall become a bona fide resident”
  - Person’s honest intent to make a place one’s residence or domicile, a conscious decision to make a location an individual’s home - *In re Initiative Petition No. 379*, State Question 726, 2006 OK 89
- National Farm Security Plan
- 12,000 to 3,000
- 150



Questions?

