

**Title 2—DEPARTMENT OF
AGRICULTURE**
Division 110—Office of the Director [20—Administrative Services]
Chapter 4[3]—Registration of Foreign-Owned Agricultural Land

PROPOSED AMENDMENT

2 CSR 110-4.040 [2 CSR 20-3.040] Procedure for Filing

PURPOSE: This rule sets out procedures for the registration of foreign ownership of agricultural land with the Missouri Department of Agriculture in compliance with section 442.592, RSMo 2016 [1986].

(1) A report upon forms, which **are available on the Missouri Department of Agriculture website**, *[will be provided upon written request to the Department of Agriculture,]* shall be filed within thirty (30) days of the date of acquisition or transfer of any interest in agricultural land in Missouri by any foreign person, as that term is defined in section 442.592.1., RSMo **2016** [1986].

(2) These reports shall be submitted in duplicate. Both copies shall be completed in full and each shall be signed as an original.

(3) Each copy of the report shall be signed personally by the individual foreign person holding interest in the agricultural land or by the legally authorized representative of that foreign person. If the reports are signed by the legally authorized representative of a foreign person, there shall be attached an appropriate document designating the individual signing as the authorized representative of the foreign person in question.

(4) The report required by this rule shall contain the following information in the appropriate spaces provided on the form:

(A) The legal name and address of the foreign person;

(B) In any case in which the foreign person is an individual, the citizenship of the foreign person;

(C) In any case in which the foreign person is not an individual or a government—

1. The nation in which the foreign person is created or organized; and

2. The legal name and address of each person who holds any interest comprising five percent (5%) or more of the foreign person, directly or indirectly, through other persons or entities; and in any case in which the holder of the interest is an individual, the citizenship of the holder and in any case in which the holder of the interest is not an individual or a government, the nation in which the holder is created or organized and the principal place of business of the holder;

(D) The type of interest in the agricultural land that is acquired or transferred by the foreign person;

(E) An exact legal description of the agricultural land, comporting with all requirements for recordation of title and including the county(ies) in which the land is located and the total acreage involved;

(F) The purchase price paid or received for or any other consideration given or received for the interest;

(G) In any case in which the foreign person transfers the interest, the legal name and address of the person to whom the interest is transferred.

1. In any case in which the transferee is an individual, the citizenship of the transferee.

2. In any case in which the transferee is not an individual or a government, the nation in which the transferee is created or organized and the principal place of business of the transferee;

(H) A declaration of the type of agricultural activity engaged in by the reporting foreign person; and

(I) In the case where any foreign person acquires an interest in agricultural land for the purposes outlined in section 442.591, RSMo **2016** [(1986)], a declaration of the intended use of the land, which declaration shall be supplemented by submitting in writing to the director of the Department of Agriculture an amended declaration each time the intended use of all or a portion of the land changes.

(5) Failure to file the report required by this rule subjects the foreign person holding an interest in the Missouri farmland to a substantial civil penalty as provided in section 442.592.6., RSMo **2016** [(1986)].

AUTHORITY: section 442.592, RSMo 1986. Original rule filed Jan. 12, 1982, effective May 15, 1982.*

**Original authority: 442.592, RSMo 1979, amended 1993, 1995.*

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Agriculture, ATTN: Alan Freeman, PO Box 630, 1616 Missouri Boulevard, Jefferson City, MO 65102, or online at Agriculture.Mo.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*