

House Bill 3340

Sponsored by Representative DIEHL

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act bans foreign adversaries listed by the AG from getting an interest in farm or forest lands. (Flesch Readability Score: 61.6).

Requires the Attorney General to adopt and maintain a list of foreign adversaries who are ineligible to receive conveyances of farm or forest lands. Makes unauthorized conveyances void.

Requires the State Department of Agriculture to create and publish an annual report relating to foreign ownership of agricultural lands and to deliver copies of the report to the Governor and to relevant interim committees of the Legislative Assembly.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to foreign interest in resources lands; and prescribing an effective date.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 180.**

4 **SECTION 2. (1) The Attorney General, by rule, shall adopt and periodically revise a list**
5 **of foreign adversaries to the United States, including any person known or believed to have**
6 **engaged in a long-term pattern or serious instances of conduct significantly adverse to the**
7 **national security of the United States or the security and safety of United States persons.**

8 **(2) Upon inclusion on the list, a person is ineligible to receive an interest in real property**
9 **as described in section 4 of this 2025 Act.**

10 **(3) In adopting the list under this section, the Attorney General shall consider including**
11 **those persons that are:**

12 **(a) Listed as foreign adversaries by the United States Secretary of Commerce under 15**
13 **C.F.R. 791.4;**

14 **(b) Subject to a prohibition on the trade of defense articles or services with the United**
15 **States under 22 C.F.R. 126.1; or**

16 **(c) Included within the United States Department of Treasury's List of Specially Desig-**
17 **nated Nationals and Blocked Persons or any other list or identification of sanctioned persons**
18 **or property maintained by the Office of Foreign Assets Control.**

19 **(4) A person added to the list:**

20 **(a) Is not entitled to notice.**

21 **(b) May file an appeal challenging the validity of the person's inclusion on the list at any**
22 **time, notwithstanding any limitations on review under ORS 183.400.**

23 **(5) The Attorney General may take any appropriate action to:**

24 **(a) Ratify the nullification of an instrument made void by section 4 of this 2025 Act;**

25 **(b) Prevent a foreign adversary from owning, occupying, using, controlling or profiting**
26 **from an interest in real property as provided by section 4 of this 2025 Act.**
27

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (6) Any action brought pursuant to subsection (5) of this section must be filed in the
2 circuit court where the subject property is located.

3 **SECTION 3.** Section 4 of this 2025 Act is added to and made a part of ORS chapter 93.

4 **SECTION 4.** (1) A deed, sales agreement or any other instrument is void if the instru-
5 ment, whether or not recorded, conveys any interest in any real property to a person who,
6 on the date that the instrument is executed or recorded, is:

7 (a) A listed foreign adversary as described in section 2 of this 2025 Act; or

8 (b) An entity in which a listed foreign adversary controls 50 percent or more of the
9 ownership interests or owns any rights or interest which allows the adversary to direct the
10 business and affairs of such entity without the requirement or consent of any other party.

11 (2) This section applies only to real property that, at the time of conveyance, is:

12 (a) Zoned for exclusive farm use, forest use or mixed farm and forest use; or

13 (b) Primarily being used for a forest use or for a farm use, as defined in ORS 215.203, and
14 including the cultivation of plants in the genus Cannabis.

15 (3) This section applies to the conveyance of an interest in real property of any type,
16 including any legal or equitable title, interest, estate, remainder, reversion or leasehold of
17 real property or any other right to possess, occupy, control or use real property.

18 (4) A person purporting to acquire an interest in real property made void by this section
19 is barred from:

20 (a) Making a claim against any party for restitution of any purchase price paid or based
21 on any loss of interest in the property;

22 (b) Conveying, leasing or otherwise profiting from the interest, or any part of the inter-
23 est.

24 **SECTION 5.** Section 4 of this 2025 Act applies only to instruments executed on or after
25 the effective date of this 2025 Act.

26 **SECTION 6.** Section 7 of this 2025 Act is added to and made a part of ORS chapter 561.

27 **SECTION 7.** (1) Based on the information possessed by the State Department of Agri-
28 culture, including reports received pursuant to the federal Agricultural Foreign Investment
29 Disclosure Act, 7 U.S.C. 3501 et seq., the department shall, on or before July 1 of each year,
30 create a report for the preceding calendar year containing all of the following, if available:

31 (a) The total amount of agricultural land in this state that is under foreign ownership;

32 (b) The percentage change in foreign ownership of agricultural land in this state for each
33 year over the prior 10 years;

34 (c) The purpose for which foreign-owned agricultural land in this state is being used
35 currently;

36 (d) Any significant recent changes or trends in the uses of foreign-owned agricultural
37 land in this state;

38 (e) With the assistance of relevant state agencies, information regarding the extent of,
39 and any recent changes in, foreign ownership of energy production, storage or distribution
40 facilities in this state; and

41 (f) Any legislative or policy changes recommended by the department relating to the in-
42 formation in this report.

43 (2) Copies of the report created under this section must be:

44 (a) Published to the department's website;

45 (b) Delivered to the Governor; and

1 (c) Submitted in the manner provided by ORS 192.245 to the interim committees of the
2 Legislative Assembly related to agriculture or land use.

3 **SECTION 8.** Section 7 of this 2025 Act applies to reports for calendar years beginning on
4 and after January 1, 2026.

5 **SECTION 9.** This 2025 Act takes effect on the 91st day after the date on which the 2025
6 regular session of the Eighty-third Legislative Assembly adjourns sine die.

7
