



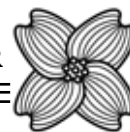
RULES OF

Department of Agriculture

Division 110—Office of the Director

Chapter 4—Registration of Foreign-Owned Agricultural Land

Title	Page
2 CSR 110-4.010 Who Shall Register	3
2 CSR 110-4.020 Interest Defined.	3
2 CSR 110-4.030 Nonfarming Purposes Interpreted.	3
2 CSR 110-4.040 Procedure for Filing	3
2 CSR 110-4.050 Process for Approval.	4



**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 110 – Office of the Director
Chapter 4 – Registration of Foreign-Owned
Agricultural Land**

2 CSR 110-4.010 Who Shall Register

PURPOSE: This rule designates guidelines and specifications for the registration of foreign ownership of agricultural land with the Missouri Department of Agriculture in compliance with section 442.592, RSMo.

(1) Any foreign person, as defined in section 442.592.1., RSMo, who has an accepted offer to purchase, acquire, or transfer any interest in agricultural land in Missouri, or who is notified that they are entitled to receive any interest in agricultural land in Missouri by grant, devise, descent, or otherwise, shall file a report with the director of the Department of Agriculture, PO Box 630, Jefferson City, MO 65102-0630 or electronically at www.agriculture.mo.gov, at least thirty (30) days prior to the date of the acquisition by sale, transfer, grant, devise, descent, or otherwise. Forms are available on the Missouri Department of Agriculture's website.

(2) In any instance where more than one (1) foreign person, as defined in section 442.592, RSMo, acquires or transfers any interest in any tract or parcel of Missouri agricultural land, each such foreign person shall file the report required.

(3) Reporting is not required when an interest in agricultural land is acquired or transferred by a foreign person or a foreign business for the sole purpose of extracting, refining, processing, or transporting oil, gas, coal, or lignite.

(4) If any foreign person or entity was obligated, under the provisions of Chapter 442, RSMo, to file a report with the director of the Department of Agriculture on any previous date and failed to do so, that foreign person or entity shall file the report required by this chapter within thirty (30) days (June 14, 1982) of the effective date of this rule (May 15, 1982).

AUTHORITY: section 442.592, RSMo 2016. This rule originally filed as 2 CSR 20-3.010. Original rule filed Jan. 12, 1982, effective May 15, 1982. Moved to 2 CSR 110-4.010 and amended: Filed May 21, 2018, effective Dec. 30, 2018. Executive Order 24-01, effective Jan. 2, 2024. Emergency amendment filed Jan. 9, 2024, effective Jan. 24, 2024, expired July 21, 2024. Amended: Filed Jan. 9, 2024, effective July 30, 2024.*

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

2 CSR 110-4.020 Interest Defined

PURPOSE: This rule defines an interest as it relates to registration with the Missouri Department of Agriculture of foreign persons or entities who or which own agricultural land in Missouri pursuant to Chapter 442, RSMo.

(1) Interest, as used in 2 CSR 110-4.010(1) and (2), shall be defined as all interests acquired, transferred, or held in agricultural lands by a foreign person, except –

- (A) Leaseholds of less than ten (10) years;
- (B) Contingent future interests;
- (C) Noncontingent future interests which do not become

possessory upon the termination of the present possessory estate; and

(D) Surface or subsurface easements and rights-of-way used for a purpose unrelated to agricultural production.

AUTHORITY: section 442.592, RSMo 2016. This rule originally filed as 2 CSR 20-3.020. Original rule filed Jan. 12, 1982, effective May 15, 1982. Moved to 2 CSR 110-4.020 and amended: Filed May 21, 2018, effective Dec. 30, 2018. Executive Order 24-01, effective Jan. 2, 2024. Emergency amendment filed Jan. 9, 2024, effective Jan. 24, 2024, expired July 21, 2024. Amended: Filed Jan. 9, 2024, effective July 30, 2024.*

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

2 CSR 110-4.030 Nonfarming Purposes Interpreted

PURPOSE: This rule interprets the phrase nonfarming purposes as that phrase is found in section 442.591, RSMo.

(1) The phrase nonfarming purposes is interpreted to include, but is not limited to, the conducting and active operation of research or experimentation for the purpose of developing or improving any type of agricultural practice, tool, device, or implement, where any agricultural production is incidental to the research or experimentation, and the cost of the research or experimentation exceeds the amount of income derived from the sale of all agricultural production.

AUTHORITY: section 442.592, RSMo 2016. This rule originally filed as 2 CSR 20-3.030. Original rule filed Jan. 12, 1982, effective May 15, 1982. Moved to 2 CSR 110-4.030 and amended: Filed May 21, 2018, effective Dec. 30, 2018.*

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

2 CSR 110-4.040 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.

PUBLISHER'S NOTE: The secretary of state has determined that publication of the entire text of the material that is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) A report upon forms, which are available on the Missouri Department of Agriculture's website, shall be filed at least thirty (30) days prior to the date of acquisition by sale, transfer, grant, devise, descent, or otherwise of any interest in agricultural land in Missouri by any foreign person, as that term is defined in section 442.592.1., RSMo.

(2) These reports shall be submitted to the Missouri Department of Agriculture either by mail at PO Box 630, Jefferson City, MO 65102-0630 or electronically at www.agriculture.mo.gov and shall be completed in full. Failure to complete the required



form timely could result in a delay in determining whether the acquisition is in violation of state law.

(3) Each copy of the report shall be signed personally by the individual foreign person holding a potential 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 or entity 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) Whether any potential interest holder is a citizen or resident of, or is incorporated under the laws of a foreign adversary as determined by Title 15, *Code of Federal Regulations*, Section 7.4, published January 19, 2021, incorporated by reference and made a part of this rule, as published by the United States Publishing Office, 732 N. Capital St NW, Washington DC, 20402-0001, phone: toll free (866) 512-1800, DC area (202) 512-1800, website: <http://bookstore.gpo.gov>;

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

(F) 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 and any knowledge regarding whether or not the potential land acquisition is located within ten (10) miles of a military facility in this state;

(G) The purchase price paid or received for or any other consideration given or received for the interest as well as whether the potential land acquisition will utilize or involve any state or local government financial assistance or financing mechanisms;

(H) A declaration of the intended activity on the potential land by the reporting foreign person;

(I) In the case where any foreign person acquires an interest in agricultural land for the purposes outlined in section 442.591, RSMo, 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; and

(J) Whether the foreign person currently owns any land in the state of Missouri, and if so, the specific locations of current ownership.

(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 442.592.7, RSMo.

AUTHORITY: section 442.592, RSMo 2016. This rule originally filed as 2 CSR 20-3.040. Original rule filed Jan. 12, 1982, effective May 15, 1982. Moved to 2 CSR 110-4.040 and amended: Filed May 21, 2018, effective Dec. 30, 2018. Executive Order 24-01, effective Jan. 2, 2024. Emergency amendment filed Jan. 9, 2024, effective Jan. 24, 2024, expired July 21, 2024. Amended: Filed Jan. 9, 2024, effective July 30, 2024.*

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

2 CSR 110-4.050 Process for Approval

PURPOSE: This rule specifies which agricultural land acquisitions will be disallowed based on the information provided on submitted reports in accordance with Executive Order 24-01 and Section 442.571, RSMo.

(1) The Director of the Missouri Department of Agriculture shall –

(A) Disallow the potential agricultural land acquisition included in any report by any citizen or resident of, or those incorporated under the laws of a foreign adversary, as determined by Title 15, *Code of Federal Regulations*, Section 7.4, if such land is within ten (10) miles of a military facility, to include all federal installations as well as all staffed Missouri National Guard units as published on the department's website;

(B) Disallow the potential agricultural land acquisition included in any report by any alien or foreign business if the total aggregate alien and foreign ownership of agricultural acreage in this state exceeds one percent (1%) of the total aggregate agricultural acreage in this state; and

(C) Review in accordance with state laws, regulations, and orders at the time that the report by a foreign person is submitted, any report not listed in subsection (A) or (B) of this rule, and allow or disallow accordingly by providing written notification of the decision to the owner or legally authorized representative included on the report within thirty (30) days.

AUTHORITY: sections 442.571 and 442.592, RSMo 2016. Executive Order 24-01, effective Jan. 2, 2024. Emergency amendment filed Jan. 9, 2024, effective Jan. 24, 2024, expired July 21, 2024. Original rule filed Jan. 9, 2024, effective July 30, 2024.*

**Original authority: 442.571, RSMo 1978, amended 1979, and 442.592, RSMo 1979, amended 1993, 1995.*