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**Rules of**  
**Department of Agriculture**  
**Division 20—Administrative Services**  
**Chapter 3—Registration of Foreign-Owned**  
**Agricultural Land**

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## Title 2—DEPARTMENT OF AGRICULTURE

### Division 20—Administrative Services Chapter 3—Registration of Foreign-Owned Agricultural Land

#### 2 CSR 20-3.010 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 1986.*

(1) Any foreign person, as defined in section 442.592.1., RSMo (1986), who acquires or transfers any interest in agricultural land in Missouri, within thirty (30) days of the date of acquisition or transfer, shall file a report with the director of the Department of Agriculture, P.O. Box 630, Jefferson City, MO 65102-0630, on forms which shall be supplied, without charge, upon request in writing.

(2) In any instance where more than one (1) foreign person, as defined in section 442.592, RSMo (1986), 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 (1986), 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 1986. \* Original rule filed Jan. 12, 1982, effective May 15, 1982.*

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

#### 2 CSR 20-3.020 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 20-3.010(1) and (2), shall be defined as all interests acquired, transferred or held in agricultural lands by a foreign person, as that term is defined in section 442.591, RSMo (1986), 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 1986. \* Original rule filed Jan. 12, 1982, effective May 15, 1982.*

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

#### 2 CSR 20-3.030 Nonfarming Purposes Interpreted

*PURPOSE: This rule interprets the phrase nonfarming purposes as that phrase is found in section 442.591, RSMo 1986.*

(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 1986. \* Original rule filed Jan. 12, 1982, effective May 15, 1982.*

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

#### 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 1986.*

(1) A report upon forms, which 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 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 (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 (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.*

**2 CSR 20-3.050 Severability**

*PURPOSE: This rule insures the continued existence of the remaining rules within this chapter should any rule or portion be declared invalid or unconstitutional.*

(1) The provisions of each rule within this chapter are declared severable and if any rule or portion of a rule shall be determined to be unconstitutional or unlawful in any respect, the balance of that rule and the other rules within this chapter shall remain in full force and effect unless the court or agency having jurisdiction determines otherwise.

*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.*