

House Engrossed Senate Bill

~~constables; report; board of supervisors~~
(now: land ownership; designated countries; prohibition)

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SENATE BILL 1082

AN ACT

AMENDING TITLE 33, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY
ADDING SECTION 33-443; RELATING TO REAL PROPERTY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 33, chapter 4, article 3, Arizona Revised
3 Statutes, is amended by adding section 33-443, to read:

4 33-443. Prohibition against land ownership; foreign adversary
5 nation or agent; enforcement; violation;
6 classification; definitions

7 A. NOTWITHSTANDING ANY OTHER LAW AND EXCEPT AS PROVIDED IN
8 SUBSECTION F OF THIS SECTION, A FOREIGN ADVERSARY NATION OR A FOREIGN
9 ADVERSARY AGENT MAY NOT, DIRECTLY OR INDIRECTLY, PURCHASE, OWN, ACQUIRE BY
10 GRANT OR DEVISE OR OTHERWISE OBTAIN A SUBSTANTIAL INTEREST IN REAL
11 PROPERTY IN THIS STATE.

12 B. THE ATTORNEY GENERAL SHALL ENFORCE THIS SECTION. THE
13 ENFORCEMENT OF THIS SECTION MAY NOT BE BASED ON A PERSON'S RACE OR
14 NATIONAL ORIGIN. IF THE ATTORNEY GENERAL REASONABLY SUSPECTS A VIOLATION
15 OF THIS SECTION OCCURRED, THE ATTORNEY GENERAL:

16 1. MAY COMMENCE AN ACTION IN SUPERIOR COURT IN THE COUNTY IN WHICH
17 THE REAL PROPERTY IS LOCATED.

18 2. SHALL REPORT THE MATTER TO THE FEDERAL BUREAU OF INVESTIGATION
19 FOR SUSPECTED ESPIONAGE ACTIVITY OR TO OTHER LOCAL, STATE OR FEDERAL LAW
20 ENFORCEMENT AGENCIES WITH THE STATUTORY AUTHORITY TO INVESTIGATE THOSE
21 CASES.

22 3. SHALL REPORT THE MATTER TO THE COMMITTEE ON FOREIGN INVESTMENTS
23 IN THE UNITED STATES (50 UNITED STATES CODE SECTION 4565).

24 C. IF PURSUANT TO AN ACTION FILED UNDER SUBSECTION B, PARAGRAPH 1
25 OF THIS SECTION THE SUPERIOR COURT FINDS THAT TITLE OR A SUBSTANTIAL
26 INTEREST IN REAL PROPERTY WAS OBTAINED IN VIOLATION OF SUBSECTION A OF
27 THIS SECTION, THE COURT SHALL ENTER AN ORDER:

28 1. STATING THE COURT'S FINDINGS.

29 2. DIVESTING THE PERSON'S INTEREST.

30 3. DIRECTING THE BOARD OF SUPERVISORS TO SELL THE REAL PROPERTY IN
31 A MANNER THAT IS CONSISTENT WITH TITLE 42, CHAPTER 18, ARTICLE 7, EXCEPT
32 THAT THE BOARD OF SUPERVISORS SHALL DISTRIBUTE THE REMAINING PROCEEDS
33 AFTER PAYING TAXES, INTEREST, PENALTIES, FEES AND COSTS IN THE FOLLOWING
34 ORDER OF PRIORITY:

35 (a) TO ANY VALID LIENHOLDER FOR THE VALUE OF THE LIENHOLDER'S
36 OUTSTANDING LIEN THAT IS ATTACHED TO THE REAL PROPERTY.

37 (b) TO THE APPROPRIATE COUNTY TREASURER AND THE ATTORNEY GENERAL TO
38 REIMBURSE THE APPROPRIATE BOARD OF SUPERVISORS AND THE ATTORNEY GENERAL
39 FOR EXPENSES INCURRED IN THE PROSECUTION OF A VIOLATION OF THIS SECTION.

40 (c) TO THE PROPERTY OWNER IN AN AMOUNT EQUAL TO THE REMAINING
41 PROCEEDS OF THE SALE, IF ANY.

42 D. A TITLE INSURER, TITLE AGENT, ESCROW AGENT OR REAL ESTATE
43 LICENSEE MAY NOT BE HELD LIABLE FOR ANY VIOLATION OF THIS SECTION.

44 E. A VIOLATION OF THIS SECTION MAY NOT BE THE BASIS FOR A TITLE
45 INSURANCE CLAIM FOR ANY TITLE INSURANCE POLICY ISSUED FOR PROPERTY IN THIS
46 STATE.

1 F. A FOREIGN ADVERSARY NATION OR FOREIGN ADVERSARY AGENT MAY
2 ACQUIRE REAL PROPERTY OR ANY INTEREST IN REAL PROPERTY IN THIS STATE BY
3 DEVISE OR DESCENT, THE ENFORCEMENT OF SECURITY INTERESTS OR THE COLLECTION
4 OF DEBT, IF THE FOREIGN ADVERSARY NATION OR FOREIGN ADVERSARY AGENT SELLS,
5 TRANSFERS OR OTHERWISE DIVESTS FROM THE REAL PROPERTY WITHIN ONE HUNDRED
6 TWENTY DAYS AFTER ACQUIRING THE REAL PROPERTY.

7 G. IT IS UNLAWFUL FOR A PERSON TO KNOWINGLY MAKE TO A LAW
8 ENFORCEMENT AGENCY OF THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE
9 A FALSE, FRAUDULENT OR UNFOUNDED REPORT OR STATEMENT REGARDING AN ALLEGED
10 VIOLATION OF THIS SECTION. A VIOLATION OF THIS SUBSECTION IS A CLASS 1
11 MISDEMEANOR.

12 H. FOR THE PURPOSES OF THIS SECTION:

13 1. "FOREIGN ADVERSARY AGENT" MEANS ANY OF THE FOLLOWING:

14 (a) AN AGENT OF A FOREIGN ADVERSARY NATION INVOLVED IN ESPIONAGE.

15 (b) A STATE-OWNED ENTERPRISE OF A FOREIGN ADVERSARY NATION.

16 (c) AN ENTITY THAT IS DIRECTED OR CONTROLLED BY A FOREIGN ADVERSARY
17 NATION OR THE PROXIES OF THAT FOREIGN ADVERSARY NATION.

18 (d) A LEADER OF A CONTROLLING POLITICAL PARTY OR GOVERNMENT OR ANY
19 ADMINISTRATIVE SUBDIVISION OF A FOREIGN ADVERSARY NATION.

20 (e) ANY BUSINESS OR OTHER ENTITY THAT IS HEADQUARTERED OR DOMICILED
21 IN A FOREIGN ADVERSARY NATION AND DIRECTLY OR INDIRECTLY HELD OR
22 CONTROLLED BY A FOREIGN ADVERSARY NATION.

23 2. "FOREIGN ADVERSARY NATION" MEANS A COUNTRY THAT IS EITHER OF THE
24 FOLLOWING:

25 (a) IDENTIFIED BY THE UNITED STATES DIRECTOR OF NATIONAL
26 INTELLIGENCE AS A COUNTRY THAT POSES A RISK TO THE NATIONAL SECURITY OF
27 THE UNITED STATES IN EACH OF THE THREE MOST RECENT ANNUAL THREAT
28 ASSESSMENTS OF THE UNITED STATES INTELLIGENCE COMMUNITY ISSUED PURSUANT TO
29 SECTION 108B OF THE NATIONAL SECURITY ACT OF 1947 (50 UNITED STATES CODE
30 SECTION 3043b).

31 (b) DETERMINED BY THE UNITED STATES DEPARTMENT OF COMMERCE PURSUANT
32 TO 15 CODE OF FEDERAL REGULATIONS SECTION 791.4.

33 3. "SUBSTANTIAL INTEREST" MEANS AN INTEREST OF THIRTY PERCENT OR
34 MORE.

35 Sec. 2. Applicability

36 This act does not apply to acquisitions that occurred before the
37 effective date of this act.

38 Sec. 3. Legislative findings

39 The legislature finds:

40 1. This act is necessary to protect this state from global security
41 threats and halt or reverse the influence operation of any foreign
42 adversary nation that poses a risk to the national security of the United
43 States and to this state.

44 2. This act is necessary to protect the critical infrastructure of
45 this state.

1 3. This act's protection of this state's military, commercial and
2 agricultural assets from foreign espionage and sabotage will place this
3 state in a significantly stronger position to withstand national security
4 threats.

5 4. This act is necessary to protect all of this state's significant
6 Department of Defense installations and assets that are essential to the
7 defense of the United States and this state.

8 5. This act demonstrates this state's commitment to supporting the
9 collective defense of the United States and protecting our way of life
10 from all foreign adversary nations who wish to do Arizonans harm.

11 6. This act does not otherwise prohibit citizens from foreign
12 adversary nations who do not qualify as foreign adversary agents as
13 defined in section 33-443, Arizona Revised Statutes, as added by this act,
14 from owning land in this state.