

Understanding Agricultural Law Educational Program

Understanding the Basics of
Foreign Agricultural
Land Ownership Laws

August 22, 2025





Center for Agricultural
and Shale Law

Understanding Agricultural Law
Educational Program



Pennsylvania
Department of Agriculture
AG BUSINESS DEVELOPMENT CENTER

Understanding Agricultural Law

**A Legal Educational Series for General Practice Attorneys and Business
Advisors Representing Agricultural and Rural Clients**

This webinar series is specifically tailored to create subject matter literacy and competence on fundamental issues of agricultural law for attorneys, advisors, and service providers to agricultural producers and agri-businesses.



Understanding Agricultural Law Educational Program

Past Topics:

- Agricultural Labor Laws
- Leasing Farmland for Energy Development
- Local Land Use Regulation of Agriculture
- Statutory Protections for Ag Operations
- Agricultural Cooperatives
- Livestock Market Regulation
- Crop Insurance
- Federal & State Conservation Programs
- Licensing & Regulation of Direct Agricultural Product Sales
- Agricultural Finance
- PA's "Clean & Green" Tax Assessment Program
- Animal Confinement Laws
- Conservation Easements
- Landowner Immunity Statutes
- The Farm Credit System
- Milk Pricing
- Pesticides
- Seed Laws
- Fair Labor Standards Act (FLSA)
- Perishable Agricultural Commodities Act (PACA)
- Food Labeling

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Understanding the Basics of

Sep. 26, 2025—U.S. Grain Dealer Statutes

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AgWorks: Connecting Agricultural Businesses to Workforce Services and Training



Pennsylvania
Department of
Labor & Industry



Center for Agricultural
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This project is funded 100% with federal funds from a US Department of Labor grant totaling \$1,325,699.00 and 0% (\$0.00) non-federal funds. Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program.

Project Goals

June 1, 2025 – May 31, 2027

- Link agribusinesses to workforce services
- Educate workforce professionals about the needs of agribusinesses
- Provide services and training to individual agribusinesses based on needs
- ***Help small agribusinesses grow and succeed***

How Can You Help?

- Share our website and contact
- Take and share our survey
- Refer ag businesses
- Reach out with referrals or questions

<https://extension.psu.edu/agworks-connecting-agricultural-businesses-to-workforce-services-and-training>

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Thursday, September 18, 2025

In-person at Penn State Dickinson Law, University Park

Lunch & refreshments provided

6 PA Attorney CLE (PACLE) Credits available



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- \$25 for students

Sessions:

- **Ethical Issues in Entity Formation & Operation for Agricultural Clients**
- **An Overview of the USDA National Appeals Division**
- **Local Government Regulation of Agriculture**
- **Ag Law Updates**
- **Ag Provisions of H.R. 1 (BBB Act) & Farm Bill Implications**
- **Water Law Issues Affecting Agriculture**

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Mid-Atlantic Ag & Resource Law Conference with WVU Extension October 28–29, 2025

In-person at the National Conservation Training Center,
Shepherdstown, WV

7 PA Attorney CLE (PACLE) Credits available

Early Bird Pricing until Aug. 28, 2025:

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- \$140 (if you are not staying at the conference site)
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Hosts and Organizers



Housekeeping

- This webinar is being recorded.
- Please use the Q&A feature for questions.
- Please fill out surveys.
- CLE credits:
 - You **must be registered for this webinar** and **fill out the CLE form** to receive credits
 - Link to CLE form posted in the chat & event webpage
 - Listen for code word, enter code word in the form
 - Please fill out form ASAP

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Land Ownership Laws

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Historical Context

- **Historical Foundations:**
 - **English common law:** non-citizens **were often excluded** from owning or using land due to concerns about loyalty.
 - **Colonial period:** land = power; controlling land meant farming, resources, and influence.
 - **Post-revolution:** land policy connected to immigration
 - Land Ordinance of 1785 and Homestead Act of 1862 allowed citizens and immigrants to claim land.
 - Rising nationalism led to the Territorial Act of 1887, restricting non-citizens from acquiring land in U.S. territories
- **20th century to today:**
 - **Post-WWII:** land ownership linked to national security
 - **1978:** Agricultural Foreign Investment Disclosure Act (AFIDA) requires foreign owners to report farmland holdings
 - Despite global trends easing foreign investment, land remains heavily regulated in the U.S., with many states imposing limits.
 - Recent debates bring national security back into focus.



Webinar Overview

- **Data snapshot:** context for understanding current trends
- **Federal Framework:** Agricultural Foreign Investment Disclosure Act (AFIDA) and the Committee on Foreign Investment in the U.S.—reviewing national security risks of foreign land transactions
- **Recent Legislative Efforts:** updates at the federal level
- **State Laws:** the primary arena for foreign ownership restrictions

Current Data and Trends

Summary

Foreign investors held an interest in nearly 45 million acres of U.S. agricultural land (forest land and farmland) as of December 31, 2023. This is an increase of over 1.5 million acres from the December 31, 2022 report and represents 3.5 percent of all privately held agricultural land in the United States. These and other findings are based on information submitted to the U.S. Department of Agriculture in compliance with the Agricultural Foreign Investment Disclosure Act of 1978. Forest land accounted for 48 percent of all reported foreign-held acreage, cropland for 29 percent, pasture and other agricultural land for 21 percent, and non-agricultural land for 2 percent. Foreign holdings of U.S. agricultural land increased modestly from 2012 through 2017, increasing an average of 0.6 million acres per year. Since 2017, foreign holdings have increased an average of nearly 2.6 million acres annually, ranging from 1.5 million acres to over 3.4 million acres per year.

[USDA Farm Service Agency \(FSA\) Foreign Holdings of U.S. Agricultural Land \(through December 31, 2023\)](#)

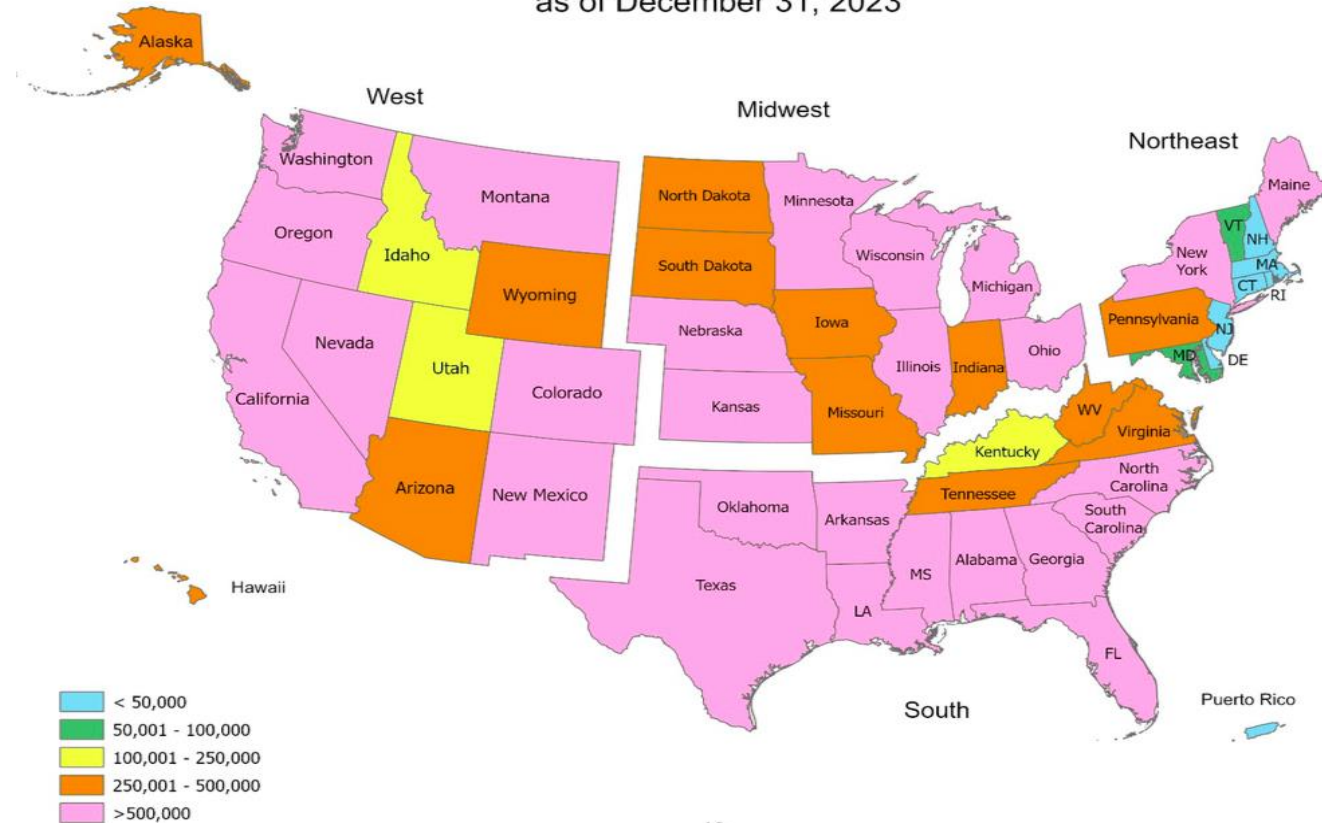
Geographic Distribution

Proportion of Foreign Held Agricultural Land to All Privately Held Agricultural Land in the U.S. as of December 31, 2023



Geographic Distribution

State Concentration of Foreign Holdings of Agricultural Land
as of December 31, 2023



Geographic Distribution

- **Largest Holdings by State**

- **Texas:** 5.6 million acres – mostly forest land
- **Maine:** \simeq 3.5 million acres – mostly forest land
- **Colorado:** 2.5 million acres – mostly cropland

- **Share of Privately Held Farmland**

- **Maine:** \simeq 21% of farmland owned by foreign investors (8% of all U.S. foreign-held farmland)
- **Hawaii:** \simeq 17%
- **Michigan, Louisiana, Florida:** \simeq 8% each

- **Recent Trends (2023)**

- Growth: **New Mexico, Texas, Arkansas** mainly due to large forest land acquisitions
- Decline: **Alabama, Arizona, Colorado, Indiana, Iowa, Michigan, Montana, Virginia** due to expired leases or sales.

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Top Foreign Landholders

Report 1B		U.S. Agricultural and NonAgricultural Landholdings (Acres) by Country of Foreign Investor					
		By State as of December 31, 2023					
State Name	Canada	Netherlands	Italy	United Kingdom	Germany	All Others	Totals
Oregon	502,233	53,859	10,834	78,104	25,251	601,243	1,271,525
Pennsylvania	129,272	24,805	1,395	49,858	52,904	148,235	406,469
Puerto Rico	49	0	0	0	2,322	724	3,095
Rhode Island	0	0	0	0	0	17	17
South Carolina	141,068	304,797	5,723	6,793	79,213	333,798	871,392
South Dakota	154,650	4,269	1,876	96,999	19,019	194,323	471,135
Tennessee	15,819	175,380	1,569	62,347	8,945	210,436	474,496
Texas	1,929,053	484,388	239,533	164,980	344,745	2,612,817	5,775,516
Utah	10,562	20,301	17,605	32,844	305	47,435	129,052
Vermont	34,531	4,188	68	14,734	3,233	28,170	84,924
Virginia	48,263	9,523	2,253	38,283	44,768	132,480	275,569
Washington	896,752	156,985	33,826	226,609	50,211	423,606	1,787,991
West Virginia	88,739	24,824	5,448	8,929	9,593	191,528	329,061
Wisconsin	85,111	6,173	2,943	16,533	12,114	518,367	641,241
Wyomine	131,479	9,374	8,230	87,192	44,902	185,278	466,455
Grand Totals:	15,350,747	5,197,940	2,733,900	2,622,855	2,496,768	17,448,042	45,850,252

Focus on China, Iran, North Korea, and Russia

- Filings from these four countries represent **less than 1% of all foreign-held U.S. farmland.**
 - **Chinese primary investors** reported **277,336 acres** as of December 31, 2023
 - **Iran:** 3,030 acres; **Russia:** 11 acres; **North Korea:** 0 acres
 - No filings directly by the government of China
- **Top Chinese-Owned Companies:**
 - Murphy Brown, LLC (Smithfield Foods) – 89,218 acres
 - Brazos Highland Properties, LP – 86,994 acres
 - Harvest Texas, LLC – 29,705 acres
 - U.S. Agri-Chemicals Corp. – 11,263 acres
 - **These five companies account for 94% of all reported Chinese holdings**
- **Geographic distribution / largest holdings by state**
 - **Texas** – 123,708 acres
 - **Utah** – 33,035 acres
 - **North Carolina** – 44,263 acres
 - **Florida** – 12,798 acres
 - **Missouri** – 42,905 acres

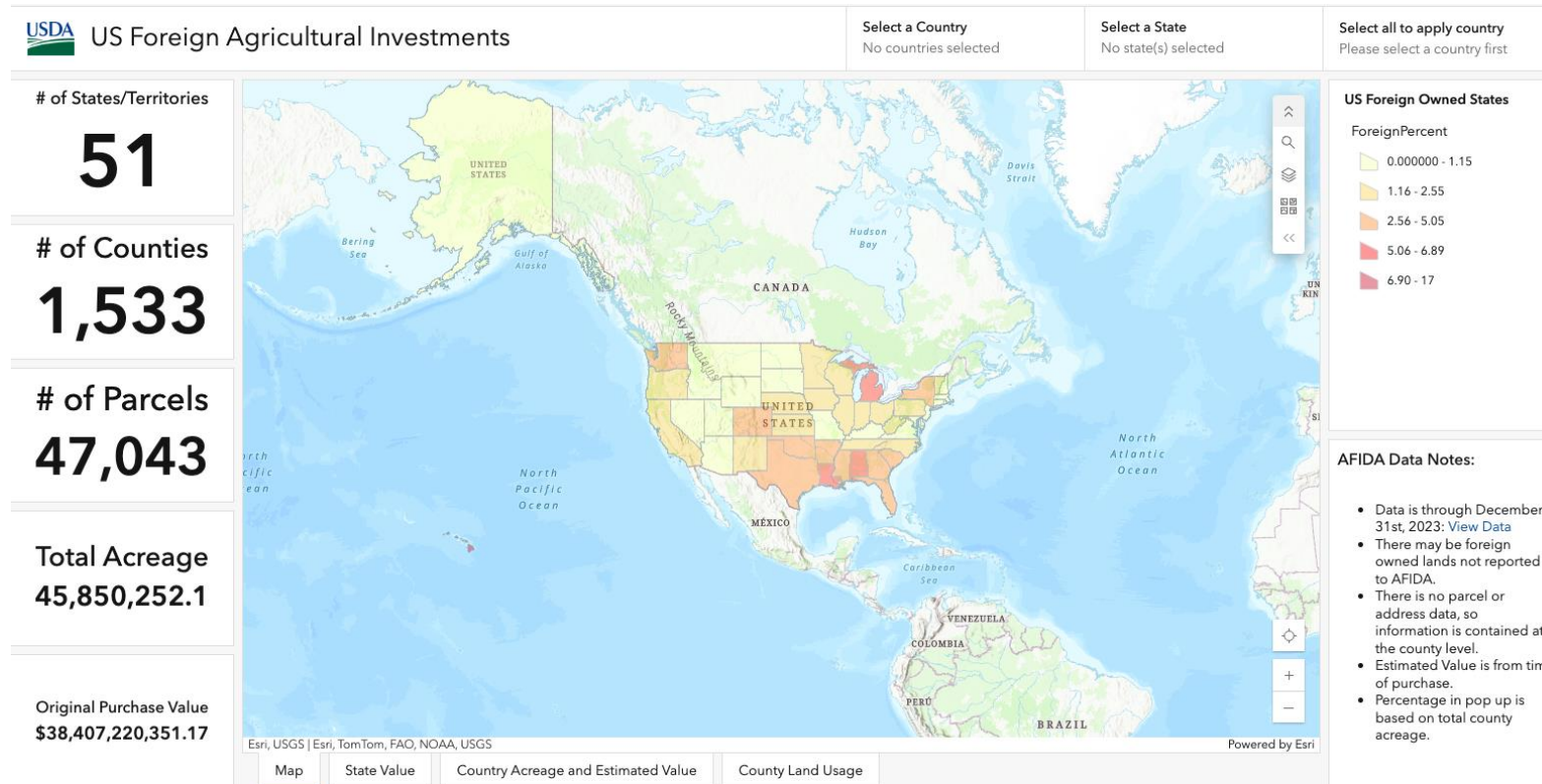
Land Use Patterns

- **Breakdown of Foreign-Owned Land (reported acres)**
 - **Timber / Forest:** 48% - nearly half of all foreign-held land
 - **Cropland:** 29%
 - **Pasture & Other Agricultural Land:** 21%
 - **Non-Agricultural Land** (e.g., homesteads, roads): 2%

Trends over Time

- **Growth over time**
 - **2013-2017:**
 - **Since 2017:**
- **Land use increases**
 - **Cropland:** + 146% (from \simeq 5.4M to 13.2M acres)
 - **Forest Land:** + 60% (from \simeq 13.7M to 22M acres)
 - **Pastureland:** + 32% (from \simeq 5.8M to 7.7M acres)
- Foreign ownership growth is particularly strong in cropland and forest land, largely influenced by both agricultural and energy-related investments.

USDA Interactive Map of Foreign-Owned U.S. Farmland



[U.S. Foreign Owned Agricultural Lands Interactive Map, U.S. Department of Agriculture \(USDA\)](#) (as of December 31, 2023)

The Agricultural Foreign Investment Disclosure Act (AFIDA)

- **No federal limits on foreign agricultural land ownership**; the U.S. does not currently cap how much farmland foreign buyers can own, nor does it ban foreign ownership outright.
- Under the **Agricultural Foreign Investment Disclosure Act (AFIDA)** [[7 U.S.C. §§ 3501-3508](#)], foreign individuals and entities must report their farmland holdings and investments to USDA.
 - It creates a **national reporting system** to track foreign-held agricultural land.
 - Focus on transparency, not restriction.
- The USDA Economic Research Service (ERS) is responsible for compiling this data into regular reports for Congress and the President, analyzing the impact on family farms and rural communities [[7 CFR 781.1](#)].

Definitions

- **Agricultural land [7 CFR 781.2(b)]**
 - Land used for farming, ranching, forestry or timber production. Forestry land qualifies if > 10 acres with at least 10% tree cover (or expected regrowth).
 - Excluded: parcels \leq 10 acres with \leq \$1,000 annual income; activities such as hunting, trapping, or wildlife management
- **Foreign person [7 CFR 781.2(g)]**
 - Includes non-U.S. citizens or permanent residents, foreign governments, entities incorporated abroad or headquartered outside the U.S., and U.S. companies under foreign control or significant influence.
- **Significant interest / Substantial control [7 CFR 781.2(k)]**
 - A single foreign person holds \geq 10%
 - Multiple foreign persons collective hold \geq 10% and act together
 - Multiple foreign persons collectively hold \geq 50%, even without acting together.
- **Person [7 CFR 781.2(h)]**
 - Broadly includes individuals, corporations, partnerships, trusts, estates, and other legal entities.

Reporting Requirements

[7 CFR 781.3]

- **Who reports**
 - Foreign persons (individuals or entities) acquiring, selling, or holding an interest in U.S. agricultural land.
 - **Exempt:** mortgage/loan interests and easements unrelated to farming or forestry.
- **Where & When**
 - File with the local FSA County within 90 days of the transaction.
 - In complex cases (e.g., land in multiple counties), filing may be done directly with the FSA office in Washington D.C.
- **Form FSA-153 must include:** (1) name, address, and citizenship (for individuals); (2) legal structure, country of incorporation, and headquarters (for companies); (3) type of land interest acquired/sold; (4) land description (location and size); (5) purchase price; (6) buyer details (if sold); (7) intended land use (farming, timber, ranching, etc.)

Reporting Requirements

- **Reporting duties**
 - If a landowner later becomes a “foreign person” (e.g., change in citizenship or company ownership), they must report within 90 days.
 - If previously non-agricultural land is converted to agricultural use, they must report within 90 days.
- **Stock-issuing companies [7 CFR 781.3(h)]**
 - Must review records quarterly. If foreign ownership may meet significant interest/substantial control thresholds, questionnaires must be sent to investment firms to confirm indirect foreign control.

Penalties for Noncompliance

[7 CFR 781.4-781.5]

- **Failure to File**
 - **Late reports:** penalty of **0.1% of fair market value per week**, capped at 25%
 - **False, misleading, or incomplete reports:** flat **25% of the fair market value**.
- **Payment & Appeals**
 - Penalties must be paid upfront, even if contested
 - USDA may offset penalties with funds owned to the foreign person under its programs.
- **Enforcement (2024)**
 - According to the [2023 AFIDA Annual Report](#), a total of \$1.2 million in penalties was recorded in 2024 (p. 7); \$13,374 for failure to file; remainder for late filings.

The Committee on Foreign Investment in the U.S. (CFIUS)

- Created in **1975 under the Defense Production Act** to help the President review foreign investment for national security risks [50 U.S.C. § 4565].
- **Scope of Review:**
 - Review foreign investments or acquisitions of U.S. businesses or real estate
 - Expanded by the **Foreign Investment Risk Review Modernization Act (FIRRMA)** (2018) to include **controlling and certain non-controlling investments** in Technology, Infrastructure, and Data (TID) businesses and real estate transactions **near sensitive government or military sites.**
- **Membership:**
 - Voting members: Secretaries of **Treasury, Homeland Security, Commerce, Defense, State, Energy,** and the **Attorney General**
 - Non-voting: **Secretary of Labor, Director of National Intelligence**
 - President may add other officials as needed.

Covered Transactions

[50 U.S.C. § 4565(a)(4)]

- Defined as transaction involving a foreign person that could affect **U.S. national security**. CFIUS may investigate and suspend such transactions.
- **Agricultural Land Transactions:** CFIUS can review foreign purchases or leases of U.S. farmland only if the land is
 - **Near sensitive government or military sites**
 - **At or near airports or seaports**
 - Or the transaction gives the foreign party control of a U.S. business that
 - **Operates or supports critical infrastructure**
 - **Develops or produces critical technologies**
 - **Collects or maintains sensitive personal data of U.S. citizens**
- **Not all farmland transactions qualify as covered transactions.** Agricultural transactions must still be reported to USDA under AFIDA but are not automatically subject to CFIUS review.

National Security Reviews

[50 U.S.C. § 4565(b)(1)]

- **Procedures**
 - Parties may file a **voluntary notice**; CFIUS has 10 business days to accept/flag as incomplete.
 - **Short-form declaration option**; CFIUS must respond within 30 days by (1) requesting full notice, (2) declining to clear, (3) initiating review, or (4) clearing the transaction.
 - **CFIUS can also self-initiate a review** without a notice if it identifies a covered transaction.
- **Essential factors considered**
 - (1) Future domestic defense needs; (2) industrial capacity; (3) impact of foreign control on U.S. defense supply; (4) risk of military goods/tech diversion; (5) U.S. leadership in critical technologies; (6) control over U.S. critical infrastructure; (7) access to sensitive national security technology; (8) whether the investor is foreign-government controlled; (9) whether the investors' country is a reliable security partner, and (10) U.S. access to energy & critical materials.
- **If the investor is a foreign government = full national security investigation is required!**
- Once CFIUS accepts a filing or initiates a review, it has **45 days to complete the process.**

Mandatory Declarations for Critical Infrastructure Transactions

- [50 U.S.C. § 4565(b)(1)(C)(v)(IV)]
- Farms are generally not critical infrastructure, but certain agriculture-related assets may qualify if their disruption could threaten **national food security**.
- **When required**
 - If a foreign investor—especially one linked to a foreign government—gains **significant ownership or influence** in a U.S. business that **owns, operates, manufactures, supplies, or services critical infrastructure**.
- **Waiver option**
 - CFIUS may waive the declaration if the investor demonstrates (1) independence from foreign government control and (2) proven record of cooperation.

National Security Investigations

- [50 U.S.C. § 4565(b)(2)]
- **When an investigation is required**
 - Transaction poses a national security threat **not resolved** in the initial review
 - Transaction is **controlled by a foreign government**
 - Transaction gives a foreign person **control over critical infrastructure** that could threaten security, unless mitigated
 - **Lead agency recommends** an investigation and CFIUS agrees.
- **Timeline**
 - Standard investigations last **45 days** (can be extended in exceptional cases)
- **Outcomes**
 - If unresolved risks remain, CFIUS can **recommend Presidential action** to block the transaction; the President has **15 days** to decide.
 - Historically, **nine blocked transactions, but none involving U.S. agricultural land.**

USDA National Farm Security Action Plan

- As part of the Make Agriculture Great Again Initiative, the USDA [launched](#) the **National Farm Security Action Plan** on July 8, 2025.
 - *“This historic plan elevates **American agriculture as a key element of our nation’s national security**, addressing urgent threats from foreign adversaries and strengthening the resilience of our nation’s food and agricultural systems.”*
- Includes “aggressive” reforms to the AFIDA process:
 - **Online filing system** – detailed submissions including maps and intended land use; higher penalties for late or false reports
 - **Coordination with states and Congress** to block purchases or control of U.S. farmland by nationals from countries of concern
 - **Further collaboration with the Treasury** to review foreign transactions involving farmland, agricultural businesses or biotech
 - **New reporting portal** – allows farmers, ranchers, and others to report foreign influence attempts on U.S. agriculture policy; submissions can be anonymous.

Legislative Responses to Foreign Farmland Investment

119th Congress (2025-2026)

- [Agricultural Risk Review Act of 2025 \(H.R. 1713\)](#)
 - Adds USDA as a member of the Committee on Foreign Investment in the U.S. (CFIUS)
- [Farmland Security Act of 2025 \(S. 845\)](#)
 - Removes limits on fines for failing to report foreign-owned farmland; requires annual congressional reports; authorizes \$2 million per year to support USDA
- [Protecting America's Agricultural Land from Foreign Harm Act \(H.R. 1438/S. 628\)](#)
 - Bars individuals tied to China, Russia, Iran, or North Korea from buying/leasing farmland and participating in USDA programs.
- [LAND Act \(H.R. 2124\)](#)
 - Requires foreign buyers to follow home-country rules and states laws when purchasing farmland.
- [FARMLAND Act \(H.R. 1920\)](#)
 - Expands review of foreign transactions exceeding \$5 million or 320 acres.

Policy Concerns on Foreign Ownership of Farmland

- Foreign ownership of agricultural land may **influence land prices or rental prices**, which can pressure local family farms.
- It may also **trigger national security concerns**, particularly when located close to sensitive critical infrastructures and military sites.
 - U.S. Government Accountability Office (GAO), [Foreign Investment in U.S. Agricultural Land is Raising National Security Concerns](#) (2024)
 - Fufen Group in North Dakota
- **Concerns over food security & domestic production**; foreign-owned farmland could prioritize exports over domestic food needs.
- **Additional risks**: potential theft of agricultural research; forced technology transfer, control over critical agricultural inputs (e.g., seeds, water); access to sensitive infrastructure and influence over agriculture-related cyber systems.

State Laws on Foreign Ownership of Agricultural Land

- **No state completely bans foreign ownership of agricultural land, but about 26 states impose restrictions:**
 - **Alabama, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin, and Wyoming**
- Approaches to regulations vary:
 - Broad restrictions on foreign ownership of farmland (often tied to national security concerns)
 - Restrictions on businesses controlled by foreign parties
 - Restrictions on real estate, not just farmland
 - Conditional or limited ownership rules
 - Monitoring and disclosure requirements
 - Restrictions on participation in farm programs.

Broad Restrictions on Farmland

- **Florida** — [SB 264](#) (May 2023)
 - Foreign principals (China, Russia, Iran, North Korea, Cuba, Venezuela, Syria) banned from buying or owning farmland, except in inheritance, debt collection, or security interest cases (must sell within 3 years)
- **Alabama** — [HB 379](#) (May 2023)
 - Foreign principals banned from agricultural/forest land purchases after August 1, 2023.
 - Countries of concern: China, Iran, North Korea, Russia
- **Virginia** — [SB 1438](#) (April 2023)
 - Foreign adversaries cannot buy/own farmland; acquisition is void, land reverts to the Commonwealth.

Florida Case – Shen v. Simpson

- A group of Chinese investors challenged Florida’s SB 264, arguing the law (1) forces cancellations of property purchases, threatens penalties, harms business, (2) stigmatizes people of Chinese descent, (3) violates equal protection, due process, and federal authority on foreign affairs, and (4) echoes historical Alien Land Laws (N.D. Fla., No. 4:23-cv-208)
 - [Complaint](#) (May 22, 2023)
 - [Plaintiffs’ emergency motion for preliminary injunction](#) (June 7, 2023)
- The district court denied preliminary injunction; now on appeal in the Eleventh Circuit Court (USCA, No. 23-12737)
 - [Order denying preliminary injunction](#) (August 17, 2023)
 - [Notice of appeal](#) (August 21, 2023)

Restrictions on Businesses Controlled by Foreign Parties

- **West Virginia** — [HB 2961](#) (April 2025)
 - Targets businesses controlled by prohibited foreign parties, not individual foreign citizens
 - **Control threshold:** (1) own 50% or more of the business, or (2) have power to make major decisions via representation, voting rights, or other mechanisms.
 - Applies to any real estate interest, including farmland.
 - **Acquisitions after July 10, 2025:** prohibited businesses must sell any property acquired within 6 months. If not, the Attorney General can enforce the law in the relevant county.
 - **Prohibited businesses that already own real estate must also divest within 6 months.**

Restrictions on All Real Estate, Not Just Farmland

- **Texas** — [SB 17](#) (June 2025)
 - **Limits certain foreign individuals/entities from buying real estate, including farmland.**
 - Designated countries defined as (1) countries identified by U.S. intelligence as national security threats or (2) countries officially named by the Governor.
 - Exceptions: (1) Foreign individuals who are also U.S. citizens and lawful permanent residents, (2) companies controlled by these individuals, and (3) short-term leases (less than 1 year).
- **Wang v. Paxton** (S.D. Texas, No. 4:25-cv-3103)
 - Group of Chinese nationals [filed](#) a class action lawsuit challenging SB 17 arguing it (1) discriminates based on race, ethnicity, and national origin, (2) stigmatizes Chinese communities; restricts renting, buying, or investing in property, (3) violates U.S. Constitution, and (4) intrudes on federal authority.
 - The district court [dismissed](#) the case; plaintiffs [appealed](#) to the Fifth Circuit (USCA No. 25-20354).

Conditional or Limited Ownership Rules

- **Iowa** — [Iowa Code §§ 9I.1 to 9I.12](#)
 - Non-U.S. citizens, foreign businesses, and foreign governments may own real estate in Iowa— **but not agricultural land**; agricultural land already owned before January 1, 1980, can be kept.
 - Exceptions (with strict conditions):
 - **Inheritance**—Foreign parties may inherit farmland
 - **Debt collection / Foreclosure / Liens**—Land can be held temporarily but must be sold within 2 years. Until sold, land may only be farmed if leased to someone not subject to ownership restrictions
 - **Non-farming purpose ownership**—Foreign entities may hold up to 320 acres for non-farming purposes. While awaiting conversion, land cannot be farmed unless leased to restricted parties.
- **Pennsylvania** — [68 Pa. Stat. Ann. §§ 22 to 24; §§ 28 to 31](#)
 - Nonresident aliens / foreign governments cannot own > 100 acres, except inheritance, collateral, or debt collection.

Monitoring and Disclosure Requirements

- **Maine** — [Me. Rev. Stat. tit. 7 §§ 31 to 36](#)
 - No foreign ownership ban
 - **Corporations and partnerships owning, buying, or selling farmland must file annual reports**
 - Federal AFIDA reports can satisfy state reporting

Restrictions on Participation in Farm Programs

- **Kentucky** — [HB 315](#) (March 2025)
 - Prohibits certain foreign parties from (1) **buying or leasing farmland** in Kentucky and (2) **participating in state agricultural programs** or receiving state-administered support.
 - Agricultural programs excluded: Kentucky Department of Agriculture programs, Agricultural Development Board initiatives, and Kentucky Agricultural Finance Corporation support.
 - Countries of concern include countries listed under [22 C.F.R. 126.1](#) (Belarus, China, Cuba, Iran, North Korea, Syria, Venezuela, etc.)

Resources and References

- **The National Agricultural Law Center**
 - [Statutes Regulating Ownership of Agricultural Land](#) (last updated on July 1, 2025)
 - [Foreign Ownership of Agricultural Land: FAQs & Resource Library](#) (last updated on July 31, 2025)
 - [Soil for Sale? A Series of Articles on State Legislative Efforts to Restrict Foreign Investment](#)
- **Clifford Chance**
 - [U.S. Restrictions on Foreign Ownership Analysis](#) (2024)

QUESTIONS/DISCUSSION?

Understanding Agricultural Law

Aug. 22, 2025—Foreign Agricultural Land Ownership
Laws

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