

EXECUTIVE ORDER

24-01

WHEREAS, generally, foreign investment in Missouri is valuable to the state's continued economic growth, including within the agricultural industry; and

WHEREAS, it is a priority of the State to promote Missouri-made products, industries, and workforce capabilities abroad, and to support foreign trade; and

WHEREAS, it is an essential function of government to promote the general welfare of the people and to protect the natural rights of all people to life, liberty, and the pursuit of happiness, as enshrined in Article I, Section 2 of the Missouri Constitution; and

WHEREAS, the United States government has determined that some "foreign governments or foreign non-government persons have engaged in a long-term pattern or serious instance of conduct significantly adverse to the national security of the United States or security and safety of United States persons" and codified those adversaries in 15 C.F.R. § 7.4; and

WHEREAS, threats to the country's national security apply with equal force to each of the states that comprise our great union; and

WHEREAS, the protection of military and intelligence assets within the state's borders, including National Geospatial-Intelligence Agency West, Whiteman Air Force Base, Fort Leonard Wood, Rosecrans Air National Guard Base, the 65 Missouri National Guard Armories and Training Sites that include 12,000 Guardsmen of Missouri, is crucial to the security of the state and nation; and

WHEREAS, the governor has a constitutional duty to protect the safety and prosperity of Missouri under Article IV, Section 2 of the Missouri Constitution; and

WHEREAS, Section 442.571, RSMo allows an alien or foreign business to acquire land in Missouri as long as the total aggregate alien and foreign ownership of agricultural acreage does not exceed one percent of the total aggregate of agricultural acreage in Missouri, unless the allowable percentage of total aggregate of agricultural acreage in Missouri changes in subsequent legislation; and

WHEREAS, Section 442.571, RSMo requires the sale or transfer of any agricultural land in this state to be submitted to the director of the Missouri department of agriculture for review of compliance with state law if there is no completed Internal Revenue Service Form W-9 signed by the purchaser, and requires that proposed acquisitions by grant, purchase, devise, descent, or otherwise of agricultural land in this state by aliens or foreign businesses be submitted to the Missouri department of agriculture to determine whether such acquisition is conveyed in accordance with the current one-percent restriction on the total aggregate alien and foreign ownership of agricultural land in this state; and

WHEREAS, Section 442.571, RSMo provides the Missouri department of agriculture with rulemaking authority to effectuate the requirements of Section 442.571, RSMo and to establish the requirements for submission and approval of requests as outlined above; and

WHEREAS, further action must be taken to ensure foreign ownership of Missouri agricultural land does not pose a threat to the security of this state.

NOW, THEREFORE, I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, do hereby order the Missouri department of agriculture to conduct an emergency rulemaking and proposed rulemaking to establish rules consistent with this order and Section 442.571, RSMo. The rules shall require all proposed acquisitions of agricultural land by aliens or foreign businesses in this state be submitted to the Missouri department of agriculture before the acquisition is finalized to ensure compliance with state law and this order, and shall prescribe the process for submitting the relevant information. Additionally, the rules shall include a requirement for the collection of the following information in any such potential land acquisition:

- a. Whether the potential landowner is a citizen, resident, or incorporated under the laws of a foreign adversary as listed in 15 C.F.R. § 7.4;
- b. Whether the potential land acquisition is located within 10 miles of a military facility in the state of Missouri;
- c. Whether the potential landowner currently owns any other land in the state of Missouri and if so, identify specific locations of current ownership;
- d. Whether the potential land acquisition involves, or will likely involve, any state or local government financial assistance and/or financing mechanisms;
- e. Intended use(s) of the land; and
- f. Any other information the director of the Missouri department of agriculture deems necessary.

The rules shall also prescribe the timeframe and process for the director of the Missouri department of agriculture to authorize or deny a proposed acquisition of Missouri agricultural land by foreign aliens or businesses.

I further declare that no Missouri agricultural land shall be acquired or owned by an alien or foreign business who is a citizen, resident, or incorporated under the laws of a foreign adversary as listed in 15 C.F.R § 7.4 if the land is located within 10 miles of a staffed military facility, as military facility is defined in Section 41.753, RSMo, in the state of Missouri. Accordingly, the director of the Missouri department of agriculture shall deny any proposed acquisition of Missouri agricultural land that violates this executive order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 2nd day of January, 2024.



MICHAEL L. PARSON
GOVERNOR

ATTEST:

JOHN R. ASHCROFT
SECRETARY OF STATE