

(P. 855) 3/29/93 Referred from Calendars to Agric. Comm.

FILED MAR 10 1933

SENATE FILE 316
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 271)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the transfer of agricultural land acquired by
2 nonresident aliens.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SF 316

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1 Section 1. Section 567.3, subsection 3, Code 1993, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. f. An interest in agricultural land
4 acquired pursuant to devise, descent, or by a conveyance, as
5 provided in subsection 4.

6 Sec. 2. Section 567.3, subsection 4, Code 1993, is amended
7 to read as follows:

8 4. a. A nonresident alien, foreign business, or foreign
9 government, or an agent, trustee, or fiduciary thereof shall
10 not transfer title to or interest in agricultural land to a
11 nonresident alien, foreign business, or foreign government, or
12 an agent, trustee, or fiduciary thereof except by-devise-or
13 descent as provided in paragraph "b".

14 b. A nonresident alien, or an agent, trustee, or fiduciary
15 of the nonresident alien may transfer title to or an interest
16 in agricultural land held by the nonresident alien to another
17 nonresident alien, if the transfer is accomplished by devise
18 or descent or by a conveyance made by the nonresident alien,
19 and the land had been acquired by the nonresident alien on or
20 before January 1, 1980. The transfer must be made to the
21 spouse of the nonresident alien; a child or stepchild of the
22 nonresident alien; a lineal descendent of a grandparent of the
23 nonresident alien; or a brother-in-law, sister-in-law,
24 stepbrother, or stepsister of the nonresident alien. The
25 transfer may be made directly to a nonresident alien or in
26 conjunction with the formation or change in the formation of a
27 family farm corporation, family farm limited partnership, or
28 family trust, all as defined in section 9H.1, or of a
29 partnership, as defined in section 486.6.

30 EXPLANATION

31 This bill amends chapter 567, restricting the rights of
32 nonresident aliens, foreign business, and foreign governments
33 from acquiring and holding agricultural land. The entities
34 which had acquired agricultural land prior to January 1, 1980,
35 may continue to hold the land. The chapter currently provides

1 that the land may be transferred between entities only by
2 devise or descent. This bill rewrites the transfer provision
3 to provide that a nonresident alien who had acquired
4 agricultural land on or prior to January 1, 1980, may transfer
5 the land to another nonresident alien by devise, descent, or a
6 conveyance. The bill provides that the transfer must be made
7 to the spouse of the nonresident alien; a child or stepchild
8 of the nonresident alien; a lineal descendent of the
9 grandparents of the nonresident alien; or a brother-in-law,
10 sister-in-law, stepbrother, or stepsister of the nonresident
11 alien. The transfer may be made directly to a nonresident
12 alien or in conjunction with the formation or change in the
13 formation of a family farm corporation, family farm limited
14 partnership, or family trust, provided under chapter 9H, or a
15 partnership as provided in chapter 486.

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SSB 271
AGRICULTURE

SENATE FILE 316
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON PRIEBE)

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Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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