

# HOUSE BILL NO. 4234

March 13, 2025, Introduced by Reps. Meerman, Rigas, Martin, DeBoyer, Maddock, Cavitt, Greene, Kunse, Alexander, Beson, Wortz, Jenkins-Arno, Fox, Smit and Bruck and referred to Committee on Government Operations.

A bill to amend 1846 RS 66, entitled  
"Of estates in dower, by the curtesy, and general provisions  
concerning real estate,"  
by amending the title and sections 35 and 36 (MCL 554.135 and  
554.136) and by adding sections 36a and 36b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE  
2 Of estates in dower, **estates** by the curtesy, ~~and~~ general  
3 provisions concerning real estate, **prohibitions on certain foreign**  
4 **acquisition or ownership of certain real estate, and the**

1 **prescription of remedies and civil sanctions.**

2       Sec. 35. (1) ~~Any~~ **Except as otherwise provided in section 36a,**  
 3 **an** alien may acquire and hold ~~lands,~~ **land,** or any right ~~thereto~~ or  
 4 interest ~~therein,~~ **in land,** by purchase, devise, or descent, and he  
 5 may convey, mortgage, and devise the ~~same,~~ **and if he shall die land**  
 6 **or right or interest in land.** If an alien dies intestate, the ~~same~~  
 7 ~~shall~~ **alien's land or right or interest in land must** descend to his  
 8 **the alien's** heirs. ~~; and in all cases such lands shall~~

9       (2) **Except as otherwise provided in section 36a, land or a**  
 10 **right or interest in land described in section (1) must** be held,  
 11 conveyed, mortgaged, or devised, or ~~shall~~ **must** descend in like  
 12 manner, and with like effect, as if ~~such~~ **the** alien were a native  
 13 citizen of this state ~~, or of~~ **the** United States.

14       Sec. 36. ~~The~~ **Except as otherwise provided in section 36a, the**  
 15 title to any ~~lands heretofore~~ **land** conveyed ~~shall~~ **must** not be  
 16 questioned, ~~nor~~ **or** in any manner affected, ~~by reason~~ **because** of the  
 17 alienage of any person from or through whom ~~such~~ **the** title ~~may have~~  
 18 ~~been~~ **was** derived.

19       Sec. 36a. (1) **Except as otherwise provided in this section, a**  
 20 **foreign principal shall not directly or indirectly own or acquire**  
 21 **by purchase, grant, devise, or descent any interest in agricultural**  
 22 **land or real property located within 20 miles of any military**  
 23 **installation or key facility in this state. The prohibition under**  
 24 **this subsection does not apply to a foreign principal that acquires**  
 25 **agricultural land or real property within 20 miles of any military**  
 26 **installation or key facility for a diplomatic purpose that is**  
 27 **recognized, acknowledged, or allowed by the government of the**  
 28 **United States.**

29       (2) **A foreign principal that directly or indirectly owns or**

1 acquires an interest in agricultural land or real property within  
2 20 miles of any military installation or key facility in this state  
3 before the effective date of the amendatory act that added this  
4 section may continue to own or hold the agricultural land or real  
5 property but shall not purchase or otherwise acquire any additional  
6 agricultural land or real property located within 20 miles of any  
7 military installation or key facility in this state.

8 (3) A foreign principal that directly or indirectly owns or  
9 acquires any interest in agricultural land or real property within  
10 20 miles of any military installation or key facility before the  
11 effective date of the amendatory act that added this section shall  
12 register with the department no later than July 1, 2025. The  
13 department shall create a registration form that includes, but is  
14 not limited to, all of the following information about the  
15 agricultural land or real property:

16 (a) The name of the owner or the owner of any interest.

17 (b) The address, the parcel identification number, and the  
18 legal description.

19 (c) The number of acres.

20 (4) A foreign principal that does not register with the  
21 department under subsection (3) by July 1, 2025, is responsible for  
22 a state civil infraction and may be ordered to pay a civil fine of  
23 not more than \$1,000.00 for each day the registration is late. The  
24 department may place a lien against unregistered agricultural land  
25 or real property located within 20 miles of any military  
26 installation or key facility for the unpaid balance of any  
27 penalties assessed under this subsection.

28 (5) If a foreign principal acquires agricultural land or real  
29 property within 20 miles of any military installation or key

1 facility on or after the effective date of the amendatory act that  
2 added this section by devise or descent, through the enforcement of  
3 security interests, or through the collection of debts, the foreign  
4 principal shall sell, transfer, or otherwise divest itself of the  
5 agricultural land or real property not later than 2 years after  
6 acquiring the agricultural land or real property.

7 (6) If a foreign principal acquires or holds agricultural land  
8 or real property within 20 miles of any military installation or  
9 key facility in violation of this section, the department shall do  
10 both of the following:

11 (a) Initiate an action in the circuit court of any county in  
12 which the agricultural land or real property is located.

13 (b) File notice of the pendency of the action initiated under  
14 subdivision (a) with the register of deeds in each county in which  
15 any of the agricultural land or real property is located.

16 (7) In any action initiated under subsection (6), if the court  
17 finds that the foreign principal violated this section, the court  
18 shall do any of the following, as applicable:

19 (a) If the court finds that the agricultural land or real  
20 property located within 20 miles of any military installation or  
21 key facility at issue was acquired or held in violation of this  
22 section, do both of the following:

23 (i) Enter an order declaring that the agricultural land or real  
24 property has been acquired or held in violation of this section and  
25 file a copy of that order with the register of deeds in each county  
26 in which any portion of the agricultural land or real property is  
27 located.

28 (ii) Declare the agricultural land or real property escheated  
29 to this state and order the sale of the agricultural land or real

1 property in the same manner as provided by law for the foreclosure  
2 of a mortgage on real estate for default of payment. The proceeds  
3 of this sale must be used to pay court costs, lienholders, and any  
4 outstanding fines, and the remaining funds, if any, must be paid to  
5 the person divested of the agricultural land or real property.

6 (b) At any time during the forfeiture proceeding under this  
7 subsection, the department may seek an order of seizure of the  
8 agricultural land or real property within 20 miles of any military  
9 installation or key facility on a showing that the defendant's  
10 control of the agricultural land or real property is a clear and  
11 present danger to this state.

12 (8) A foreign principal that purchases or acquires any  
13 interest in agricultural land or real property within 20 miles of  
14 any military installation or key facility in violation of this  
15 section is guilty of a misdemeanor punishable by imprisonment for  
16 not more than 93 days or a fine of not more than \$500.00, or both.

17 (9) A person that knowingly sells any interest in agricultural  
18 land or real property within 20 miles of any military installation  
19 or key facility to a foreign principal in violation of this section  
20 is guilty of a misdemeanor punishable by imprisonment for not more  
21 than 93 days or a fine of not more than \$500.00, or both.

22 (10) As used in this section:

23 (a) "Agricultural land" means that term as defined under  
24 section 2 of the Michigan family farm development act, 1982 PA 220,  
25 MCL 285.252.

26 (b) "Department" means the department of agriculture and rural  
27 development.

28 (c) "Foreign country of concern" means China, Russia, Iran,  
29 North Korea, Cuba, Venezuela, or Syria, including any agency of or

1 any other entity under significant control of China, Russia, Iran,  
2 North Korea, Cuba, Venezuela, or Syria.

3 (d) "Foreign principal" means any of the following:

4 (i) The government or any official of the government of a  
5 foreign country of concern.

6 (ii) A political party, member of a political party, or any  
7 subdivision of a political party in a foreign country of concern.

8 (iii) A partnership, association, corporation, organization, or  
9 other combination of persons, or a subsidiary of a partnership,  
10 association, corporation, organization, or other combination of  
11 persons, organized under the laws of or having its principal place  
12 of business in a foreign country of concern.

13 (iv) A person who is domiciled in a foreign country of concern  
14 and is not a citizen or lawful permanent resident of the United  
15 States.

16 (e) "Key facility" means that term as defined under section  
17 552c of the Michigan penal code, 1931 PA 328, MCL 750.552c.

18 (f) "Military installation" means that term as defined in 10  
19 USC 2801(c)(4) and includes an armory as that term is defined in  
20 section 105 of the Michigan military act, 1967 PA 150, MCL 32.505.

21 (g) "Real property" means land, buildings, fixtures, and all  
22 other improvements to land.

23 Sec. 36b. (1) Not later than the time of purchase, a buyer of  
24 any interest in agricultural land or real property within 20 miles  
25 of any military installation or key facility in this state shall  
26 file with the department an affidavit signed under the penalty of  
27 perjury attesting that the buyer is not a foreign principal and is  
28 in compliance with the requirements under section 36a.

29 (2) The failure to obtain or maintain an affidavit required

1 under subsection (1) does not do either of the following:

2 (a) Affect the title or insurability of the title for the  
3 agricultural land or real property.

4 (b) Subject the closing agent to civil or criminal liability,  
5 unless the closing agent has actual knowledge that the transaction  
6 will result in a violation of section 36a.

7 (3) As used in this section:

8 (a) "Agricultural land" means that term as defined under  
9 section 2 of the Michigan family farm development act, 1982 PA 220,  
10 MCL 285.252.

11 (b) "Department" means the department of agriculture and rural  
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21 subdivision of a political party in a foreign country of concern.

22 (iii) A partnership, association, corporation, organization, or  
23 other combination of persons, or a subsidiary of a partnership,  
24 association, corporation, organization, or other combination of  
25 persons, organized under the laws of or having its principal place  
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