

1 State of Arkansas As Engrossed: S3/3/21 H3/29/21 H4/19/21 H4/20/21  
2 93rd General Assembly  
3 Regular Session, 2021

# A Bill

SENATE BILL 312

4  
5 By: Senators B. Johnson, M. Pitsch, B. Ballinger, Beckham, Caldwell, J. Dismang, Flippo, T. Garner,  
6 Gilmore, Hester, Hill, Irvin, Rice, B. Sample, J. Sturch, D. Sullivan, D. Wallace  
7 By: Representatives Lundstrum, Bentley, Brown, Cavanaugh, Crawford, Gazaway, J. Mayberry, Miller,  
8 Payton, Richmond, Rye, B. Smith, Vaught, Jett

## For An Act To Be Entitled

11 AN ACT TO AMEND THE LAW CONCERNING OWNERSHIP AND  
12 POSSESSION OF REAL PROPERTY; AND FOR OTHER PURPOSES.

### Subtitle

16 TO AMEND THE LAW CONCERNING OWNERSHIP AND  
17 POSSESSION OF REAL PROPERTY.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22 SECTION 1. Arkansas Code Title 2, Chapter 3, Subchapter 1, is amended  
23 to add an additional section to read as follows:

24 § 2-3-111. Reporting requirement.

25 (a) Beginning October 1, 2021, a foreign person required to make a  
26 report to the United States Department of Agriculture under the Agricultural  
27 Foreign Investment Disclosure Act, 7 U.S.C. § 3501 et seq., shall also file a  
28 copy of the required report with the Secretary of the Arkansas Department of  
29 Agriculture within the time period required under the federal law.

30 (b) The Attorney General:

31 (1) Shall impose a civil penalty not to exceed twenty-five  
32 percent (25%) of the fair market value, on the date of the assessment of the  
33 penalty, of the interest in the agricultural land for failure to file a copy  
34 of the report with the Secretary of the Arkansas Department of Agriculture as  
35 required under subsection (a) of this section; and

36 (2) May bring an action to collect the civil penalty in the



1 Pulaski County Circuit Court or in the circuit court of any county in which  
2 any portion of the agricultural land acquired is located.

3 (c) Sections 2-3-101 through 2-3-110 are suspended while the  
4 Agricultural Foreign Investment Disclosure Act, 7 U.S.C. § 3501 et seq., is  
5 in effect.

6 (d) This section shall expire upon the repeal of the Agricultural  
7 Foreign Investment Disclosure Act, 7 U.S.C. § 3501 et seq.

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/s/B. Johnson

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APPROVED: 4/29/21

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