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136th General Assembly

Regular Session

2025-2026

Sub. H. B. No. 1

To amend sections 319.202, 4735.56, and 5301.256 of
the Revised Code to modify the law that
prohibits certain governments, businesses, and
individuals from acquiring certain real property
and to name this act the Ohio Property
Protection Act.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 319.202, 4735.56, and 5301.256 of
the Revised Code be amended to read as follows:

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Sec. 319.202. Before the county auditor indorses any real
property conveyance or manufactured or mobile home conveyance
presented to the auditor pursuant to section 319.20 of the
Revised Code or registers any manufactured or mobile home
conveyance pursuant to section 4503.061 of the Revised Code, the
grantee or the grantee's representative shall submit, either
electronically or three written copies of, a statement, in the
form prescribed by the tax commissioner, and other information
as the county auditor may require, declaring the value of real
property or manufactured or mobile home conveyed, except that, when the transfer is
subject to division (B) (2) of this section, when the transfer is



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exempt under division (G) (3) of section 319.54 of the Revised 20
Code only a statement of the reason for the exemption shall be 21
required. Each statement submitted under this section shall 22
contain the information required under divisions (A), (B), and 23
(C) of this section and, if the statement involves the transfer 24
of protected property, the affirmations required by division (B) 25
(2) of this section. 26

(A) Each statement submitted under this section shall 27
include or otherwise be accompanied by a statement advising the 28
grantee of the eligibility requirements for the reduction in 29
taxes authorized under division (B) of section 323.152 of the 30
Revised Code and of the duty imposed by division (C)(1) of 31
section 323.153 of the Revised Code on the grantee to notify the 32
county auditor if the grantee no longer qualifies for the 33
reduction. 34

~~(B)~~(B) (1) Each statement submitted under this section 35
shall either: 36

~~(1)~~(a) Contain an affirmation by the grantee that the 37
grantor has been asked by the grantee or the grantee's 38
representative whether to the best of the grantor's knowledge 39
either the preceding or the current year's taxes on the real 40
property or the current or following year's taxes on the 41
manufactured or mobile home conveyed will be reduced under 42
division (A) of section 323.152 or under section 4503.065 of the 43
Revised Code and that the grantor indicated that to the best of 44
the grantor's knowledge the taxes will not be so reduced; or 45

~~(2)~~(b) Be accompanied by a sworn or affirmed instrument 46
stating: 47

~~(a)~~(i) To the best of the grantor's knowledge the real 48

property or the manufactured or mobile home that is the subject 49
of the conveyance is eligible for and will receive a reduction 50
in taxes for or payable in the current year under division (A) 51
of section 323.152 or under section 4503.065 of the Revised Code 52
and that the reduction or reductions will be reflected in the 53
grantee's taxes; 54

(b)(ii) The estimated amount of such reductions that will 55
be reflected in the grantee's taxes; 56

(e)(iii) That the grantor and the grantee have considered 57
and accounted for the total estimated amount of such reductions 58
to the satisfaction of both the grantee and the grantor. The 59
auditor shall indorse the instrument, return it to the grantee 60
or the grantee's representative, and provide a copy of the 61
indorsed instrument to the grantor or the grantor's 62
representative. 63

(2) Each statement submitted under this section involving 64
the transfer of protected property shall contain both of the 65
following: 66

(a) An affirmation by the grantee as to whether the 67
grantee is prohibited from purchasing or otherwise acquiring 68
protected property under section 5301.256 of the Revised Code; 69

(b) An affirmation by the grantor as to whether the 70
grantor is prohibited from purchasing or otherwise acquiring 71
protected property under section 5301.256 of the Revised Code 72
and, if so, whether the protected property that is the subject 73
of the transfer was acquired in violation of, or is subject to 74
divestment under, that section. 75

(C) Each statement submitted under this section shall 76
either: 77

(1) Contain an affirmation by the grantee that the grantor
has been asked by the grantee or the grantee's representative
whether to the best of the grantor's knowledge the real property
conveyed qualified for the current agricultural use valuation
under section 5713.30 of the Revised Code either for the
preceding or the current year and that the grantor indicated
that to the best of the grantor's knowledge the property
conveyed was not so qualified; or 78
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(2) Be accompanied by a sworn or affirmed instrument
stating: 86
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(a) To the best of the grantor's knowledge the real
property conveyed was qualified for the current agricultural use
valuation under section 5713.30 of the Revised Code either for
the preceding or the current year; 88
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(b) To the extent that the property will not continue to
qualify for the current agricultural use valuation either for
the current or the succeeding year, that the property will be
subject to a recoupment charge equal to the tax savings in
accordance with section 5713.34 of the Revised Code; 92
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(c) That the grantor and the grantee have considered and
accounted for the total estimated amount of such recoupment, if
any, to the satisfaction of both the grantee and the grantor.
The auditor shall indorse the instrument, forward it to the
grantee or the grantee's representative, and provide a copy of
the indorsed instrument to the grantor or the grantor's
representative. 97
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~~(D)~~ (D) (1) The grantor shall pay ~~the~~ the following: 104

(a) The fee required by division (G)(3) of section 319.54
of the Revised Code; ~~and, in~~ 105
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(b) In the event the board of county commissioners of the
county has levied a real property or a manufactured home
transfer tax pursuant to Chapter 322. of the Revised Code, the
amount required by the real property or manufactured home
transfer tax so levied. ~~If~~

(2) If the conveyance is exempt from the fee provided for
in division (G)(3) of section 319.54 of the Revised Code and the
tax, if any, levied pursuant to Chapter 322. of the Revised
Code, the reason for such exemption shall be shown on the
statement. ~~"Value" means, in the case of any deed or certificate
of title not a gift in whole or part, the amount of the full
consideration therefor, paid or to be paid for the real estate
or manufactured or mobile home described in the deed or title,
including the amount of any mortgage or vendor's lien thereon.~~
~~If property sold under a land installment contract is conveyed
by the seller under such contract to a third party and the
contract has been of record at least twelve months prior to the
date of conveyance, "value" means the unpaid balance owed to the
seller under the contract at the time of the conveyance, but the
statement shall set forth the amount paid under such contract
prior to the date of conveyance. In the case of a gift in whole
or part, "value" means the estimated price the real estate or
manufactured or mobile home described in the deed or certificate
of title would bring in the open market and under the then
existing and prevailing market conditions in a sale between a
willing seller and a willing buyer, both conversant with the
property and with prevailing general price levels. No person
shall willfully falsify the value of property conveyed.~~

(E) The auditor shall indorse each conveyance on its face
to indicate the amount of the conveyance fee and compliance with
this section and if the property is residential rental property

include a statement that the grantee shall file with the county 138
auditor the information required under division (A) or (C) of 139
section 5323.02 of the Revised Code. The auditor shall retain 140
the original copy of the statement of value, forward to the tax 141
commissioner one copy on which shall be noted the most recent 142
assessed value of the property, and furnish one copy to the 143
grantee or the grantee's representative. 144

(F) (1) The auditor shall not indorse a conveyance of 145
protected property if the statement submitted under this section 146
does not include both of the affirmations required by division 147
(B) (2) of this section. 148

(2) The auditor shall refer information about a conveyance 149
of protected property to the county sheriff for investigation 150
and enforcement under division (G) of section 5301.256 of the 151
Revised Code if either of the following apply: 152

(a) The grantee affirms, or the auditor has reason to 153
believe, that the grantee is prohibited from purchasing or 154
otherwise acquiring protected property under section 5301.256 of 155
the Revised Code. 156

(b) The grantor affirms, or the auditor has reason to 157
believe, that the grantor has acquired protected property in 158
violation of, or has not timely divested all rights, titles, and 159
interests in the protected property under, section 5301.256 of 160
the Revised Code. 161

(G) The auditor shall not refuse to indorse a conveyance 162
for either of the reasons specified in division (F) (2) of this 163
section. 164

(H) In order to achieve uniform administration and 165
collection of the transfer fee required by division (G) (3) of 166

section 319.54 of the Revised Code, the tax commissioner shall
adopt ~~and promulgate~~ rules for the administration and
enforcement of the levy and collection of such fee.

(G)(I) As used in this section, "residential":

(1) "Protected property" has the same meaning as in
section 5301.256 of the Revised Code.

(2) "Residential rental property" has the same meaning as
in section 5323.01 of the Revised Code.

(3) (a) "Value" means, in the case of any deed or
certificate of title not a gift in whole or part, the amount of
the full consideration therefor, paid or to be paid for the real
estate or manufactured or mobile home described in the deed or
title, including the amount of any mortgage or vendor's lien
thereon.

(b) If property sold under a land installment contract is
conveyed by the seller under such contract to a third party and
the contract has been of record at least twelve months prior to
the date of conveyance, "value" means the unpaid balance owed to
the seller under the contract at the time of the conveyance, but
the statement shall set forth the amount paid under such
contract prior to the date of conveyance.

(c) In the case of a gift in whole or part, "value" means
the estimated price the real estate or manufactured or mobile
home described in the deed or certificate of title would bring
in the open market and under the then existing and prevailing
market conditions in a sale between a willing seller and a
willing buyer, both conversant with the property and with
prevailing general price levels.

Sec. 4735.56. (A) Each brokerage shall develop a written

brokerage policy on agency to be given to prospective sellers, tenants, and purchasers in accordance with this section.	196 197
(B) The brokerage policy on agency described in division (A) of this section shall include all of the following information:	198 199 200
(1) An explanation of the permissible agency relationships available under section 4735.53 of the Revised Code and the duties that the agent owes the agent's client;	201 202 203
(2) The brokerage's policy on representation of purchasers or sellers;	204 205
(3) Whether at some time during the agency relationship the brokerage and its licensee may act as a dual agent, and the options and consequences for the client if a dual agency situation arises including the right of the client to terminate the agency relationship and seek representation from another source;	206 207 208 209 210 211
(4) Whether at some time during the agency relationship, another licensee affiliated with the same brokerage as the licensee may become the exclusive agent for the other party in the transaction and whether each licensee will represent only the interests of that licensee's client;	212 213 214 215 216
(5) The brokerage's policy on cooperation with other brokerages, including whether the brokerage offers compensation to other brokerages or will seek compensation from other brokerages;	217 218 219 220
(6) That a brokerage that has a purchaser as a client represents the purchaser's interests even though the seller's agent or the seller may compensate that purchaser's brokerage;	221 222 223

(7) <u>That individuals, businesses, countries, criminal enterprises, gangs, cartels, organizations, and governments associated with countries that are deemed by the secretary of state to constitute a threat to the agricultural production, critical infrastructure, security, or military defense of this state or the United States are prohibited from acquiring protected property, as defined in section 5301.256 of the Revised Code, and that the brokerage has no duty to determine or inquire whether a purchaser or seller is subject to that prohibition;</u>	224 225 226 227 228 229 230 231 232 233
(8) <u>That the signature of the purchaser or the seller indicates acknowledgement of receipt of the brokerage policy on agency.</u>	234 235 236
(C) <u>A licensee working directly with a seller in a real estate transaction shall provide the seller with the brokerage policy on agency described in this section at the time the licensee and seller enter into an agency agreement, if required by section 4735.55 of the Revised Code or, if an agency agreement is not required by that section, prior to advertising or showing the seller's real estate, and shall obtain a signature from the seller acknowledging receipt unless the seller refuses to provide a signature. If the seller refuses to provide a signature, the licensee shall note this on the policy.</u>	237 238 239 240 241 242 243 244 245 246
(D) <u>A licensee working directly with a purchaser in a real estate transaction, whether as the purchaser's agent, the seller's agent, or the seller's subagent, shall provide the purchaser with the brokerage policy on agency described in this section and obtain a signature from the purchaser acknowledging receipt of the policy unless the purchaser refuses to provide a signature. If the purchaser refuses to provide a signature, the</u>	247 248 249 250 251 252 253

licensee shall note this on the policy. Except as provided in division (E) of this section, the licensee shall provide the brokerage policy on agency to a purchaser prior to the earliest of the following actions of the licensee:	254 255 256 257
(1) Initiating a prequalification evaluation to determine whether the purchaser has the financial ability to purchase or lease a particular real estate property;	258 259 260
(2) Requesting specific financial information from the purchaser to determine the purchaser's ability to purchase or finance real estate in a particular price range;	261 262 263
(3) Showing the real estate to the purchaser other than at an open house;	264 265
(4) Discussing, with the purchaser, the making of an offer to purchase or lease real estate;	266 267
(5) Submitting an offer to purchase or lease real estate on behalf of the purchaser;	268 269
(6) Entering into an agency agreement with the purchaser under section 4735.55 of the Revised Code.	270 271
(E) If the earliest event described in division (D) of this section is by telephone or electronic mail, the licensee shall disclose by that same medium the nature of the agency relationship that the licensee has with both the seller and the purchaser. The licensee shall provide the purchaser with the brokerage policy on agency described in this section at the first meeting with the purchaser following this disclosure of the agency relationship.	272 273 274 275 276 277 278 279
(F) A licensee acting as a seller's agent is not required to provide a purchaser with the brokerage policy on agency	280 281

described in this section except in the case of an event	282
described in division (D) of this section.	283
(G) The requirements of this section regarding provision	284
of a brokerage policy on agency apply only in the following	285
situations:	286
(1) The sale or lease of vacant land;	287
(2) The sale of a parcel of real estate containing one to	288
four residential units;	289
(3) The leasing of residential premises as defined in	290
section 5321.01 of the Revised Code, if the rental or lease	291
agreement is for a term of more than eighteen months.	292
Sec. 5301.256. (A) As used in this section:	293
(1) "Agriculture" has the same meaning as in section 1.61	294
of the Revised Code.	295
(2) "Agricultural land" means land suitable for use in	296
agriculture and includes water on and upon and air space over	297
and above the land and natural products and deposits that are	298
unsevered from the land.	299
(3) "Person" includes <u>all of the following:</u>	300
(a) <u>Individuals;</u>	301
(b) <u>Firms, individuals, businesses, countries, criminal</u>	302
<u>enterprises, gangs, cartels, organizations, and governments.</u>	303
(4) "Business" includes <u>firms, companies, business trusts,</u>	304
<u>estates, trusts, sole proprietorships, partnerships, general</u>	305
<u>partnerships, limited liability companies, associations,</u>	306
<u>corporations, and any other legal, business, or commercial</u>	307
<u>entities;</u>	308

<u>(e) Governments.</u>	309
<u>(5) "Government" means a government other than the government of the United States, its states, subdivisions, territories, or possessions;</u>	310 311 312
<u>(d) Legal or commercial entities, organizations, joint ventures, and nonprofits.</u>	313 314
<u>(6) "Real property" means land and improvements to land and includes water on and upon and air space over and above the land and natural products and deposits that are unsevered from the land.</u>	315 316 317 318
<u>(7) "Protected property" means real property in this state that is any of the following:</u>	319 320
<u>(a) Agricultural land;</u>	321
<u>(b) Located within a ten mile radius of any installation under the jurisdiction of the armed forces, as defined in section 5903.01 of the Revised Code, such as a military base, a camp, or an airport;</u>	322 323 324 325
<u>(c) Located within a ten mile radius of a critical infrastructure facility, as defined in section 2911.21 of the Revised Code.</u>	326 327 328
<u>(8) "Control" means the authority, by contract or by law, to direct the affairs and day-to-day operations of a business without the consent of any other person.</u>	329 330 331
<u>(9) "Own" means possession of more than fifty per cent of the stock, equity, or other ownership interest of a business.</u>	332 333
<u>(10) "Foreign adversary" means a country listed on the registry published by the secretary of state under division (H)</u>	334 335

of this section. 336

(B) (1) On or after the effective date of this section, October 3, 2023, no person listed in the registry published by the secretary of state under division (G)-(H) of this section, and no agent, trustee, or fiduciary of such a person, shall purchase or otherwise acquire agricultural land in this state. 337
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(2) On or after the effective date of this amendment, none of the following persons shall, directly or indirectly, purchase or otherwise acquire protected property: 342
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(a) A person listed on the registry published by the secretary of state under division (H) of this section; 345
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(b) A government of a foreign adversary; 347

(c) An individual who is a citizen of a foreign adversary, regardless of whether that same individual is also a citizen or national of one or more other countries, other than the United States, that are not foreign adversaries; 348
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(d) A business that is headquartered in a foreign adversary; 352
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(e) A business that is directly or indirectly owned or controlled by one or more persons described in divisions (B) (2) (a) to (d) of this section, or an agent, fiduciary, or trustee of such persons; 354
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(f) An agent, fiduciary, or trustee of a person described in divisions (B) (2) (a) to (e) of this section. 358
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(C) (1) A person, agent, trustee or fiduciary subject to division (B) (1) of this section that owns or holds agricultural land in this state as described in division (B) (1) of this section before the effective date of this section October 3, 360
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2023, may continue to own or hold the agricultural land, but
shall not purchase or otherwise acquire additional agricultural
land in this state that is subject to the restriction in
division (B) (1) of this section unless an exception described in
division ~~(C)~~—(D) of this section applies.

(C)–(2) A person subject to division (B) (2) of this
section is not required to divest of, and may continue to own or
hold protected property, other than agricultural land, if any of
the following apply:

(a) The person acquires the right, title, or interest in
the protected property before the effective date of this
amendment.

(b) The person acquires the right, title, or interest
before the date the person becomes subject to division (B) (2) of
this section and, if applicable, the date the foreign adversary
with which the person is connected, as described in divisions
(B) (2) (b) to (f) of this section, is added to the registry
published by the secretary of state under division (H) of this
section.

(c) The person acquires the right, title, or interest in
the protected property, other than agricultural land, under
division (D) (2) of this section.

(D) (1) The restriction on acquiring agricultural land
restrictions set forth in division divisions (B) (1) and (2) of
this section does do not apply to any either of the following:

(1) Agricultural land (a) Protected property acquired by
devise or descent, subject to the divestment requirements in
division (F) of this section, if applicable. However, a person
listed in the registry published by the secretary of state under

~~division (G) of this section, or an agent, trustee, or fiduciary thereof, that acquires the agricultural land, or an interest in agricultural land, by devise or descent on or after the effective date of this section shall divest itself of all right, title, and interest in the agricultural land within two years from the date of acquisition.~~ 393
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~~(2) Agricultural land (b) Protected property that is acquired, directly or indirectly, by a process of law in the collection of debts, by a deed in lieu of foreclosure, pursuant to a forfeiture of a contract for deed, or by any procedure for the enforcement of a lien or claim on the agricultural landprotected property, whether created by mortgage or otherwise, subject to the divestment requirements under division (F) of this section, if applicable. Agricultural land so acquired shall be sold or otherwise disposed of within two years after title is transferred. Agricultural If the protected property is agricultural land, pending sale or disposition such divestment, the land shall not be used for any purpose other than agriculture, and the land shall not be used for agriculture under lease to an individual, trust, corporation, partnership, or other business entity subject to the restrictions under division (B) (1) or (2) of this section.~~ 399
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~~(D) (2) In addition to the exceptions described in division (D) (1) of this section, the restrictions set forth in division (B) (2) of this section do not apply to either of the following:~~ 415
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~~(a) Protected property other than agricultural land directly or indirectly acquired by agent, fiduciary, or trustee of a person described in divisions (B) (2) (a) to (e) of this section acting in the agent's, fiduciary's, or trustee's~~ 419
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<u>personal capacity, if both of the following apply:</u>	423
<u>(i) The agent, fiduciary, or trustee is not a person</u>	424
<u>described in divisions (B) (2) (a) to (e) of this section;</u>	425
<u>(ii) The agent, fiduciary, or trustee is not purchasing or</u>	426
<u>otherwise acquiring the property to circumvent the restrictions</u>	427
<u>prescribed by this section.</u>	428
<u>(b) Protected property other than agricultural land</u>	429
<u>directly or indirectly acquired by an individual who is a United</u>	430
<u>States citizen, United States national, or a lawful permanent</u>	431
<u>resident of the United States, or who is an active or reserve</u>	432
<u>member of the armed forces of the United States or has retired</u>	433
<u>from or was honorably discharged from military service in the</u>	434
<u>active or reserve armed forces of the United States, unless that</u>	435
<u>individual is purchasing or otherwise acquiring the property as</u>	436
<u>an agent, fiduciary, or trustee of a person described in</u>	437
<u>divisions (B) (2) (a) to (e) of this section.</u>	438
<u>(E) A person listed in the registry published by the</u>	439
<u>secretary of state under subject to division (G) (B) (1) or (2)</u>	440
<u>of this section, or an agent, trustee, or fiduciary of such a</u>	441
<u>person, shall not directly or indirectly transfer title to or</u>	442
<u>an interest in agricultural land protected property to another</u>	443
<u>person listed in that registry, or an agent, trustee, or</u>	444
<u>fiduciary thereof subject to those divisions, except by devise or</u>	445
<u>descent unless an exception described in division (D) of this</u>	446
<u>section applies.</u>	447
<u>(E) (F) A person that purchases or otherwise acquires</u>	448
<u>agricultural land in this state described in division (B) (1) of</u>	449
<u>this section, other than by devise or descent, after the</u>	450
<u>effective date of this section, and that is subsequently added</u>	451

~~to the registry published by the secretary of state under~~ 452
~~subject to division (G)-(B) (1) or (2) of this section, shall~~ 453
~~divest itself of all right, title, and interest in the~~ 454
~~agricultural land protected property, other than protected~~ 455
~~property described in division (C) of this section, within two~~ 456
~~years from after the later of the following:~~ 457

(1) The date the person is added to the registry becomes 458
subject to division (B) (1) or (2) of this section; 459

(2) The date the person acquires the right, title, or 460
interest in the protected property. 461

~~(F) (1) (G) (1) If the secretary of state a county auditor~~ 462
~~finds or has reason to believe that a person listed on the~~ 463
~~registry published under division (G) of this section, or an~~ 464
~~agent, trustee, or fiduciary thereof, subject to division (B) (1)~~ 465
~~or (2) of this section has acquired, or holds title to, or~~ 466
~~interest in, agricultural land protected property in this state~~ 467
~~in violation of this section, the secretary of state auditor~~ 468
~~shall report the violation to the attorney general notify the~~ 469
~~county sheriff of each county in which the protected property is~~ 470
~~located. The county sheriff shall investigate the allegation. If~~ 471
~~the protected property is located in more than one county, the~~ 472
~~county sheriffs of those counties may investigate the allegation~~ 473
~~collaboratively.~~ 474

~~(2) Upon receipt of the report from the secretary of~~ 475
~~state, the attorney general concluding the investigation, if the~~ 476
~~county sheriff determines that a violation has occurred, the~~ 477
~~county sheriff shall refer the violation to the county~~ 478
~~prosecutor. Upon receiving such a referral, the county~~ 479
~~prosecutor shall initiate either commence an action in the court~~ 480
~~of common pleas of any the county in which the agricultural land~~ 481

~~is located seeking relief in accordance with this section or refer the alleged violation to the attorney general for further investigation.~~ 482
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(3) Upon receiving a referral under division (G) (2) of this section, the attorney general shall investigate. All powers available to the attorney general under section 1345.06 of the Revised Code are available to the attorney general to investigate an alleged violation of this section. Upon concluding the investigation, if the attorney general determines that a violation has occurred, the attorney general shall commence an action in the court of common pleas of the county in which the protected property is located. 485
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(4) If the agricultural land protected property is located in more than one county, or adjoining tracts of agricultural land are located in more than one county, rather than commencing a separate action in each such county, the county prosecutors or the attorney general, as applicable, may commence one consolidated action in the county in which the majority of the agricultural land territory of the protected property is located shall have. In a consolidated action, the court of common pleas of the county in which the majority of the territory of the protected property is located has territorial jurisdiction over agricultural land all protected property that is the subject of the action. The attorney general may initiate an action in the court of common pleas of more than one county, if necessary, in which case, the court of common pleas in that county shall have jurisdiction over the action in matters as it relates to the portion of the agricultural land that is located in that county. 494
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(3) The attorney general (5) Once the action is commenced, the county prosecutor or the attorney general, as applicable, 510
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shall file a notice of the pendency of the action with the 512
county recorder of each county in which any of the agricultural 513
land-protected property subject to the action is located. 514

(4)(6) If the court finds that the agricultural land-protected 515
property in question has been acquired or held in 516
violation of this section, it shall do all of the following: 517

- (a) Enter an order so declaring; 518
- (b) File a copy of the order with the county recorder of 519
each county in which any portion of the agricultural land-protected 520
property is located; 521
- (c) Declare the agricultural land escheated to the state; 522
- (d) Order that the escheated agricultural land-protected 523
property be sold pursuant to Chapter 2329. of the Revised Code 524
in the same manner as a foreclosure on a mortgage, except that 525
there shall be no opportunity for redemption under section 526
2329.33 of the Revised Code. 527

(5)(7) Upon receiving an order under division (F)(4)-(G) 528
(6) of this section, the clerk of the court shall notify the 529
governor that the title to the agricultural land-protected 530
property is vested in the state to be sold by decree of the 531
court. After the sale, the 532

(8) If the action is commenced and litigated by the county 533
prosecutor, the proceeds of the sale shall be paid as follows: 534

(a) The proceeds shall first be used First, to pay court 535
costs related to the action or actions initiated pursuant to 536
division (F)(2) of this section; 537

(b) The remaining proceeds, if any, shall be paid to the 538
person whose agricultural land escheated, but only in an amount 539

~~not exceeding the actual cost paid by the person for that agricultural land~~Second, to bona fide lien holders, in their order of priority, except for liens that under the terms of the sale are to remain on the property;

~~(c) The proceeds remaining after payments have been made pursuant to divisions (F) (5) (a) and (b) of this section shall be paid~~Third, to the general fund of each county in which the agricultural land protected property is located, proportionally, based on the percentage of the territory located in each county.

(9) If the action is commenced by the attorney general, the proceeds of the sale shall be paid as follows:

(a) First, to pay court costs related to the action or actions;

(b) Second, to bona fide lien holders, in their order of priority, except for liens that under the terms of the sale are to remain on the property;

(c) Third, to pay the actual costs incurred by the attorney general in investigating the alleged violation and litigating the civil action;

(d) Fourth, to the local government fund.

~~(G) (H) (1) The secretary of state shall compile and periodically update at least one time every six months a registry of foreign adversaries and other persons that, based on the best information available to the secretary of state, constitute a threat to the agricultural production, critical infrastructure, security, or military defense of this state, or the United States, if permitted to acquire agricultural land described in division (B) (1) of this section.~~

<u>(2)</u> The registry shall be published on the secretary of state's web site.	568 569
<u>(3)</u> The secretary of state shall consult all of the following in compiling the registry:	570 571
<u>(1)(a)</u> The list of persons determined to be foreign adversaries by the secretary of commerce of the United States under 15 C.F.R. 7.4 <u>to have engaged in a long-term pattern or</u> <u>serious instances of conduct significantly adverse to the</u> <u>national security of the United States or the security and</u> <u>safety of United States persons and, therefore, to constitute</u> <u>foreign adversaries for the purposes of Executive Order 13873,</u> <u>issued by the president of the United States on May 15, 2019;</u>	572 573 574 575 576 577 578 579
<u>(2)(b)</u> The terrorist exclusion list compiled by the secretary of state of the United States in consultation with the attorney general of the United States under 8 U.S.C. 1182;	580 581 582
<u>(3)(c)</u> The list of countries determined by the secretary of state of the United States that have repeatedly provided support for acts of international terrorism under 50 U.S.C. 4813(c) and 22 U.S.C. 2780(d);	583 584 585 586
<u>(4)(d)</u> The list of individual and entities designated by, or in accordance with Executive Order 13224, issued by the president of the United States on September 23, 2021 <u>2001</u> , or Executive Order 13268, issued by the president of the United States on July 2, 2002;	587 588 589 590 591
<u>(e)</u> The list of cartels and other organizations designated by the secretary of state of the United States in consultation with the secretary of the treasury of the United States, the attorney general of the United States, the secretary of homeland security of the United States, and the director of national	592 593 594 595 596

<u>intelligence of the United States as foreign terrorist organizations consistent with 8 U.S.C. 1189, or specifically designated global terrorists consistent with 50 U.S.C. 1702 and Executive Order 13224, issued by the president of the United States on September 23, 2001.</u>	597
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<u>(H)—(4) The secretary of state shall not include on the registry any person that does not appear on at least one of the federal lists described in division (H) (3) of this section.</u>	602
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<u>(I) (1) No person is required to determine or inquire whether another person is or may be subject to division (B) (1) or (2) of this section unless the person is either:</u>	605
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<u>(a) Subject to one or both of those divisions;</u>	608
<u>(b) A county auditor, county sheriff, county prosecutor, attorney general, or trier of fact of a court of common pleas acting in the person's official capacity as provided in this section or section 319.302 of the Revised Code;</u>	609
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<u>(2) A person that is not subject to division (B) (1) or (2) of this section bears no liability under this section.</u>	613
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<u>(3) No title to an interest in real property is invalid or subject to divestment by reason of a violation of this section by any former owner or other person holding or owning a former interest in such real property.</u>	615
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<u>(J) The purpose of establishing the restrictions as set forth in this section is to recognize that the state has a substantial and compelling interest in protecting its agricultural production, critical infrastructure, security, and military defense.</u>	619
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Section 2. That existing sections 319.202, 4735.56, and	624

5301.256 of the Revised Code are hereby repealed. 625

Section 3. This act shall be known as the Ohio Property 626
Protection Act. 627