



November 2006

# Alien Land Ownership Guide

State Laws Relating to Ownership of  
U.S. Land by Aliens and Business Entities



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## I. INTRODUCTION

The attached chart has been prepared to identify those federal and state statutes which restrict, limit, prohibit, or otherwise impact the rights of an alien (defined below) or a foreign business entity (“FBE” also defined below) to acquire by purchase, to inherit, and/or to own real property. While many states in the US impose no restrictions on ownership of real property by aliens, other states impose restrictions in a somewhat disparate and inconsistent manner. This chart is designed to assist real estate brokers in identifying those states where limitations or prohibitions apply, to aliens, to non-resident aliens, and perhaps to FBE’s.

We offer the summary chart as a starting point for brokers and for brokers assisting their clients, but not as a substitute for the entire process of legal review of alien land ownership rights as may apply in a particular jurisdiction.

DISCLAIMER: THIS SUMMARY CHART IS NOT INTENDED TO SERVE AS A SUBSTITUTE FOR COMPETENT LOCAL LEGAL COUNSEL FOR BUYERS AND SELLERS AND THEIR AGENTS AND SHOULD NOT BE RELIED UPON AS LEGAL GUIDANCE. BEFORE ACTING MEMBERS SHOULD SEEK THE ADVICE OF LEGAL COUNSEL TO IDENTIFY AND CLOSELY REVIEW THE APPLICABLE STATUTES AFFECTING THE TRANSACTION. THIS RESEARCH WAS COMPILED PRIMARILY DURING 2006 AND, AS ALWAYS, STATUTES MAY BE AMENDED OR REPEALED OR REPLACE WITH NEWER VERSIONS OR NEW AUTHORITY, AND IT IS POSSIBLE THAT COURTS MAY ISSUE OPINIONS WHICH FURTHER EXPLAIN (OR EVEN DECLARE UNCONSTITUTIONAL) THESE STATUTES.

## II. Definitions

- A. Agricultural Land: Land used for agriculture, forestry, timber production, and in some states ranching is included.
- B. Alien: A person who is not born in the US or otherwise naturalized and made a citizen of the US.
- C. Foreign Business Entity or “FBE”: A corporation, partnership, limited liability company or other business entity which is formed under the laws of a country other than the US or a state other than the state in which it is doing business.
- D. Non-Resident Alien: An alien (see above) whose primary residence is not located in the state in question or in the US.
- E. Resident Alien: An alien (see above) whose primary residence is located in the state in question.

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
FEDERAL REPORTING REQUIREMENTS	Reporting requirement	Resident and non-resident aliens may take and hold real property, subject to local and state limitations, but in all cases are subject to these federal reporting requirements.	7 USCA §§3501-3508	Reporting requirement	All foreign persons (any individual who is not a citizen of the US, or a citizen or national of the US, or a citizen of the Northern Mariana Islands, or the Trust Territory of the Pacific Islands, or who is not lawfully admitted to the US for permanent residence or paroled into the US under the Immigration and Nationality Act) who holds or acquires any interest other than a security interest in agricultural land (used for agriculture, forestry, or timber production) must submit reports of ownership within 10 days of acquisition of the interest to the Secretary of Agriculture, on forms required by such Secretary.	7 USCA §§3501-3508
Alabama	None	Resident or nonresident may take and hold real property as a native citizen	Ala. Code § 35-1-1 Ala.Const. Article I §34	None	Once properly registered, foreign business entities ("FBE's") have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	Ala.Code §10-2B-3.02(4) and (5)
Alaska	Exploration and mining rights on state owned lands.	Restriction on exploration and mining rights. Must be at least 18 years of age and the laws of their country must grant like privileges to citizens of the United States.	AK ST §38.05.190		Foreign corporation with certificate of authority given same rights and privileges as a domestic corporation.	AK ST. 10.06.740 AK ST.10.50.605
		Individual not disqualified to take as an heir because they are or have been an alien.	AK ST. §13.12.111	Disclosure requirements	Application for Certificate of Authority, Biennial Report must disclose name and address of each alien affiliate, percentage of shares controlled by them and the nature of the relationship.	AK ST 10.06.730(12) AK ST 10.06.808(7)
	Disclosure requirement	If estate or interest in real property is created, transferred or declared (other than a lease for one year or less) to or for benefit of nonresident alien, instrument must state the name and address of alien.	AK ST. §09.25.010(b)	Reporting requirements	Any change with regard to an alien affiliate of a corporation during first year of biennial reporting requires amendment to biennial report	AK ST 10.06.813
				Limited Partnerships	Alien limited partnership not included in definition of foreign limited partnership	AK ST 32.11.900(6) and (13)
Arizona	Acreage limitation	Limit acreage to 640 acres grazing land and 160 acres agricultural land	ARS § 37-240(A)	Acreage limitation	Acreage limited to 640 acres grazing land and 160 acres agricultural land	ARS § 37-240(A)
					Once properly registered, foreign business entities ("FBE's") have the same rights and privileges as a domestic entity and have no limitations other than those contained in their own articles, by laws, or agreements among their owners.	ARS § 37-240(B) ARS § 2-349 ARS § 29-802
Arkansas		No distinction between resident aliens and citizens	AR Const. Art. 2 § 20	Agricultural Registration and Reporting Requirements	Foreign party required to report any interest in agricultural land to circuit clerk of that county within 60 days (lease term of 10 years or more also requires reporting) if not a bona fide resident of the United states	ACA § 2-3-103(a)(1)(A) and (b) ACA 2-3-108

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
Arkansas	Agricultural Reporting Requirement	Aliens, whether or not US residents may own land as if they were citizens and residents of Arkansas but are subject to a reporting requirement for agricultural land if they are not a bona fide resident of the United States	ACA § 2-3-109 ACA § 2-3-108	Agricultural Registration and Reporting Requirements	Foreign party acquiring agricultural land for nonfarming purpose must register with Secretary of State and providing a declaration of intent as to the intended use of land within 60 days of ownership	ACA § 2-3-110(b)(1) and (2)
	Agricultural Reporting Requirement	Foreign party required to report any interest in agricultural land to circuit clerk of that county within 60 days (lease term of 10 years or more also requires reporting) if not a bona fide resident of the United states	ACA § 2-3-103(a)(1)(A) and (b) ACA 2-3-108			
	Agricultural use Registration Requirement	Foreign party acquiring agricultural land for nonfarming purpose must register with Secretary of State by providing a declaration of intent as to the intended use of land within 60 days of ownership.	ACA § 2-3-110(b)(1) and (2)			
California		Non-citizens have the same property rights as citizens	CA Const. Art. I § 20 Cal.Civ.Code § 671			
	Public Land Restriction	Leases and prospecting permits on public lands may only be held by person or association who is US Citizen or declared their intention of becoming one or are citizen of county who permits similar privileges to US Citizens there or alien entitled by virtue of a treaty with the US by their country	Cal.Pub.Res.Code § 6801(a) and (c)	Public Land Restriction	Lease and prospecting permit on public land may only be held by a corporation where 90% or more of its shares are owned by person or corporation eligible under § 6801(a) and (c)	Cal.Pub.Res.Code § 6801(b)
	Residency and Reporting Requirement	Purchase of inland lake and unsegregated swamp and overflowed lands requires an affidavit that purchaser is a US Citizen or intends to become one, and is a resident of the state	Cal.Pub.Res.Code §7601		Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	Cal.Corp.Code §1701(q), (r) Cal.Corp.Code §§ 17452, 15693

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
	Agricultural college grant acreage restriction	Purchase of any part of 150,000 acres granted to state for use of an agricultural college requires affidavit that purchase is a US citizen or intends to be come one and a resident of the state	Cal.Pub.Res.Code §8105			
Colorado	None	Aliens who are or become bona fide residents of state may possess property as native born citizens	CO Const. Art. 2 §27	None	Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	Colo. Rev. Stat. 7-90-805(2)
		No individual is disqualified as an heir, devisee, grantee, lessee, mortgagee, assignee or other transferee due to alien status	Colo. Rev. Stat. 15-11-111		Foreign entity defined	Colo.Rev.Stat. §7-90-102(23)
Connecticut	None	Alien, resident of US or not, may acquire and transfer real estate as a native born citizen	CGSA §47-7a	None	Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	CGSA §33-924(b)
Delaware	None	Real property may be devised, inherited, held and disposed of by alien the same as by a citizen of the state	DE Code Annot. Title 25 §§306, 307 308	None	Once properly registered, foreign business entities ("FBE's") have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	DE Code Annot. Title 8 §371 DE Code Annot. Title 25 §305 DE Code Annot. Title 6 §18-902 DE Code Annot. Title 6 §17-902
Florida	None	Aliens ineligible for citizenship may have rights to ownership, inheritance, disposition and possession of real property regulated or prohibited. (currently, no such statutory restrictions exist)	Fla.Const. Article 1 §2		Once properly registered, foreign business entities ("FBE's") have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	FSA §607.1505 FSA §607.0302 FSA §608.501
		Aliens have the same rights of inheritance as citizens	FSA §732.1101	Registered Agent Requirement	Alien FBE must maintain a registered agent in the state in order to own a mortgage on real estate	FSA §607.0505
Georgia	Wartime status	Aliens who are subjects of governments at peace with the US and Georgia, entitled to all rights of citizens may own real estate	GACode Ann. §1-2-11		Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	GA Code Ann. §§14-2-1505(b) GA Code Ann. 14-2-302(4) and (5)
	Airport restriction	Foreign citizen may not lease or own airport	GA Code Ann. §6-3-20.1	Registered Agent Requirement	Alien corporation must maintain a registered office and agent within the state prior to acquiring real property	GA Code Ann. §16-14-15
		Alienage not a bar to inheritance	Haw.Rev.Stat.§560:2-111		Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	Haw.Rev.Stat. §414-435 Haw.Rev.Stat. §425E-902 Haw.Rev.Stat. §428-1002

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
Hawaii	Residential Lot on Oahu restriction	Purchase or lease of residential lots on Oahu are restricted to US citizens or a declarant alien residing in Hawaii for 5 or more years	Haw.Rev.Stat. §206-9(c)(1)	Registered Agent Requirement	Foreign corporation must maintain a registered office and agent in state	Haw.Rev.Stat. §414-437
	Residential House/Lot residence restriction	Purchase of residential house-lot in a development tract must be a resident of the state and reside on the lot	Haw.Rev.Stat. 516-33			
Hawaii	Public land farming restriction	Only person who has been a resident of state for 3 years and is a bona fide farmer may lease or purchase public lands for use as farm lot, pasture, crops, livestock or horticulture	Haw.Rev.Stat. §171-65, -68			
Idaho		Any person, citizen or alien, may hold and dispose of real property - note restriction for public land.	ID ST §55-103	Place of business and registered agent requirement	Foreign corporation must have at least one known place of business and an authorized agent for service of process to have the same rights or privileges of domestic corporation	ID Const. Art. XI §10
	Public land restriction	Public lands may only be purchased by US citizen or who have declared their intention to become such.	ID St. 58-313		Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	ID St. §30-1-1501 ID ST. §53-601(5) ID ST §53-651
		Alienage not a bar to inheritance	ID ST §12-2-112			
Illinois	Agricultural Restriction	Aliens may own real property in the same manner as natural born US citizens - see below regarding Agricultural Lands	765 ILCS 60/7		Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	805 ILCS 5/13-10 805 ILCS 210/101(4) 805 ILCS 180/1-5
	Agricultural Restriction	Any foreign person who acquires or transfers any interest in, or leasehold for a term of over 10 years in agricultural land or a security interest in same shall submit a report to the Director of Agriculture within 90 days	765 ILCS 50/1 to 50/8	Agricultural Restriction	Business entity formed in a foreign country or with its principal place of business outside the US, or domestic business entity with significant interest or control by foreign person or entity, who acquires or transfers any interest in, or leasehold for a term of over 10 years in agricultural land or a security interest in same shall submit a report to the Director of Agriculture within 90 days	765 ILCS 50/1 to 50/8
Indiana	None	Aliens residing in US or other foreign country may own real estate as a US citizen or citizen of Indiana	IC 32-22-2-5		Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	IC 23-1-49-1 IC 23-1-49-5 IC 23-18-1-9 IC 23-16-1-6 IC 23-18-11-4 IC 23-16-10-2
				Registered office requirement	Foreign corporation must maintain registered office and agent in Indiana	IC 23-1-49-7

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
					NOTE: Mere ownership does not necessarily require registration because mere ownership does not, in itself, constitute conducting business. Leasing property to others and/or deriving income otherwise may carry additional registration requirements.	IC 23-1-49-1(b)(9)
Iowa	Residency	Foreigners who are or become residents of the state have the same rights as native born citizens	IA Const. Art. 1 §22	Agricultural restriction	Nonresident alien, FBE and foreign government may acquire real property <b>except for agricultural land</b> or interest in agricultural land as a citizen and resident of the US	ICA §9I.2 ICA §9I.3
Iowa	Agricultural restriction	Nonresident alien, foreign business or foreign government may acquire real property <b>except for agricultural land</b> or interest in agricultural land as a citizen and resident of the US	ICA §9I.2 ICA §9I.3 ICA § 9I.5	Agricultural restriction	Any business entity which acquires agricultural land which becomes a foreign or non-resident business entity must divest itself of title within 2 years	ICA §9I.6
	Residency restriction on agricultural land	Person who acquires agricultural land whose status changes to become foreign or non-resident must divest of title within 2 years	ICA §9I.6	Reporting Requirement	Agricultural land restriction does not apply to land acquired for use other than farming if converted to other use within 5 years. Nonresident alien, foreign business or foreign government must file report with secretary of state before March 31 of each year	ICA §9I.4 ICA §9I.8 ICA §9I.12
	Reporting Requirement	Agricultural land restriction does not apply to land acquired for use other than farming if converted to other use within 5 years. Nonresident alien, foreign business or foreign government must file report with secretary of state before March 31 of each year	ICA §9I.4 ICA §9I.8 ICA §9I.12	Agricultural Restriction Reporting Requirement	FBE may not directly or indirectly acquire or obtain or lease agricultural land. Exceptions listed. Reporting requirements includes exception for research or experimental purposes	ICA §9I.4 ICA §10B.7
		Every conveyance of agricultural land, except leases for less than 5 year term, shall be recorded with the county recorder within 180 days. If leased or conveyed to a nonresident alien or FBE, an affidavit must be recorded	ICA §558.44		Every conveyance of agricultural land, except leases for less than 5 year term, shall be recorded with the county recorder within 180 days. If leased or conveyed to a nonresident alien or FBE, an affidavit must be recorded disclosing individual owners	ICA §558.44
	Agricultural residency Reporting and Registration Requirement	Nonresident alien or FBE shall register interest in agricultural land within 60 days of acquisition. If land not subject to restrictions of section 9I.3, report to be made to secretary of state.	ICA §9I.7 ICA §9I-8	Agricultural residency Reporting and Registration Requirement	Nonresident alien or RBE shall register interest in agricultural land within 60 days of acquisition. If land not subject to restrictions of section 9I.3, report to be made to secretary of state.	ICA §9I.7 ICA §9I-8
					Except as limited above, FBE must register but no further limitations apply.	ICA §488.102(9) ICA §490A.102(10), (11) and (12)

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
Kansas	Potential alien restriction	No distinction between citizens of Kansas or other states regarding property rights. Alien rights may be regulated by law	KSA Constitution Bill of Rights §17	Limit on testamentary power	Devise of real estate to a foreign country, subdivision thereof, city, body politic or corporation located therein or existing under the laws thereof	KSA §59-602
	Limit on testamentary power	Devise of real estate to a foreign country, subdivision thereof, city, body politic or corporation located therein or existing under the laws thereof	KSA §59-602		Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	KSA §17-7305(c)
				Agricultural restriction	No corporation shall either directly or indirectly own, acquire or lease agricultural land. Exceptions listed	KSA §17-5904
Kansas				Reporting requirement for agricultural land ownership	All corporations who hold title to agricultural land must make annual report to Secretary of State	KSA §17-5902
Kentucky	Citizenship restriction	After declaring intention to become US citizen, any alien, not an enemy may own real property as a citizen of the state. Property escheats after 8 years without becoming citizen	KRS §381.290 §381.300	KRS	Once properly registered, FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners, <b>except as noted below.</b>	KRS §271B.15-050 KRS §275.015
	Friend and residency requirement	Any alien, not an enemy may hold land for purpose of a residence or for purpose of business trade or manufacture as long as he remains a resident of state as if he were a US citizen	KRS §381.320 (attempted repeal 2006 KY H.B. 118, 1/3/2006)	Limited Partnerships	Statute which explicitly excludes alien LP from definition of foreign and domestic LP expires 1/1/2008	KRS §362.401
Louisiana	None	Every person has right to own property.	La. Const. Article 1 §4(A)		Foreign partnership definition includes alien partnership	La. Rev. St. §9:3421
	Public land lease restriction	Individual lessee may not lease lands from state that cover an area larger than 640 acres of public land, which must be contiguous or own more than one lease at a time.	La.Rev.St. §41:1216		Foreign partnership has same rights as a Louisiana partnership and must file for registry with the secretary of states in the Central Registry for Contracts of Partnership in order to own property	La.Rev.St. §9:3422 La.Rev.St. §9:3423
					Foreign corporation definition includes alien corporation	La.Rev. St. §9:3422
					Qualified corporation may own property	La.Rev.St. §12:41
				Limited Liability Company	Foreign LLC appears not to include alien LLC	La.Rev.St. §12:1301(6)
Maine	None	Alien may own real estate	Me.Rev.Stat. tit. 33 §451			
		No disqualification as an heir due to alienage	Me.Rev.Stat. tit. 18 § 2-112		Once properly registered FBE's have the same rights and privileges as a domestic entity and have no limitations other than those contained in their own articles, by laws, or agreements among their owners.	Me.Rev.Stat. tit. 13 §1505
					NOTE, merely owning real property or personal property other than agricultural real estate does not constitute transacting business	Me.Rev.Stat. tit 13§1501(2)(l)
				Agricultural reporting requirement	Any corporation or partnership that owns or acts as a fiduciary or trustee that acquires or transfers any interest in agricultural land required to submit annual report to commissioner within 90 days after Jan. 1st or the date of transfer, whichever is earlier. Fine of \$50 per day	Me.Rev.Stat. tit. 7 §33 Me.Rev.Stat. tit. 7 §36

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
				Acreage exception to restriction	Corporation or partnership owning less than 10 acres subject to single transaction not required to comply with reporting requirement of §33	Me.Rev.Stat. tit 7 §34
Maryland	Friend requirement	Any alien not an enemy may own property as if a state citizen by birth	MD Real Prop. §14-101 <a href="http://www.state.gov/s/l/treaties/c15824.htm">http://www.state.gov/s/l/treaties/c15824.htm</a>		Foreign corporations include alien corporations	MD Corp. and Assoc. §1.101(l)
				Limited Liability Company	Alien limited liability company is not included in foreign limited liability company.	MD Corp. & Assoc. §4A-101(j)
				Registration requirement	Foreign corporations qualified must register with the Department or be subject to a fine of \$5 plus \$1 for each ten days	MD Corp. & Assoc. §7-202 MD Corp. & Assoc. §7-303
Massachusetts	None	Aliens may own real property	MGLA 184 §1	Registration requirement	Foreign corporation shall within 10 days of commencing business deliver for a certificate for filing to the secretary of state. Owning real estate may constitute doing business.	MGLA 156D §15.03 MGLA 181§3
Massachusetts					Foreign corporations have same rights as domestic corporations <b>except as limited below</b>	MGLA 156D §15.05
				Registered Agent	Foreign corporation must continuously maintain a registered agent in the commonwealth	MGLA 156D §15.07
					Foreign LLC includes alien LLC	MGLA 156C §2(4)
				Limited Partnerships	Foreign LP does not include alien LP	MGLA 109 §1(4)
Michigan	Residency requirement	Aliens who are residents have the same property rights as citizens of the state	MCLA Const. Art. 10 §6		Once properly registered FBE's have the same rights and privileges as a domestic entity and no limitations apply other than those contained in their own articles, by laws, or agreements among their owners.	MCLA 450.1107 MCLA 450.2002
		Any alien may own land, devise convey as if such alien were a native citizen of the state	MCLA 554.135	Limited Partnerships	Foreign partnership may not include alien partnership	MCLA 449.1101(5)
				Note different definition	Foreign LLC and LP includes alien LLC and LP	MCLA 450.4102(2) (i) and (j)
					Foreign corporation may make loans secured by mortgages of real property located in the state without maintaining authority to transact business or paying fees	MCLA 450.2013
Minnesota		Alienage no bar to inheritance	Minn.Stat. 524.2-111	Agricultural land restriction	No corporation, limited partnership or other business entity shall directly or indirectly acquire any interest in agricultural land unless at least 80% of each class of stock issued and outstanding or 80% of the ultimate beneficial interest of the entity is held directly or indirectly by US citizens or permanent resident aliens. See exceptions 1-8 in statute	Minn.Stat. 200.221 Subd. 2
	Agricultural land restriction	No natural person shall acquire directly or indirectly any interest in agricultural land unless he is a US citizen or permanent resident alien	Minn.Stat. 500.221 Subd. 2	Limited Partnerships	Foreign LP excludes alien LP	Minn.Stat. 322A.01(6)
	Potential alien restriction	Legislature may enact laws to limit, restrict or prevent nonresident aliens from acquiring or holding land	MS Constit. Art. 4 §84	Potential corporate restrictions	Legislature may limit or restrict acquiring or holding of lands by corporations.	MS Const. Art. 4 §84
	Residency requirement	Resident aliens may own land. Nonresident aliens may not unless it is a lien to secure a debt, but no longer than 20 years	MS St §189-2-23	Public land restriction	Corporation or association of persons comprised in whole or part of nonresident aliens may not directly or indirectly own public lands	MS St. §29-1-75

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
Mississippi	Residency, acreage and use restriction	Nonresident alien may not acquire and hold more than 230 acres of land for industrial development or for longer than 5 years for residential purposes	MS St §189-2-23 MS St. §29-1-75			
	Nonresident inheritance exception	Nonresident aliens who are citizens of Syria or the Lebanese republic may inherit property	MS St §189-2-23			
	Public land residency restriction	Nonresident alien may not directly or indirectly own any public land	MS St. §29-1-75			
Missouri	Agricultural land restriction	Alien may own real estate except agricultural land as defined as more than 5 acres capable of supporting agricultural enterprise	VAMS title XXIX §442.560 VAMS title XXIX §442.566(1)	Agricultural land restriction	Alien corporations may own real estate except agricultural land of more than 5 contiguous acres capable of supporting agricultural enterprise	VAMS title XXIX §442.560 VAMS title XXIX §442.566(1)
	Lease/ownership timeframe defined	Lease of more than 10 years or renewable at option which might total ten years deemed ownership for definition of "acquiring" agricultural land within meaning of sections 442.560	VAMS title XXIX 442.581		Foreign business defined as any business entity with controlling interest owned by a non-US citizen	VAMS title XXIX 442.566(5)
	Residency requirement for agricultural land ownership.	Resident alien may hold agricultural land so long as they are resident. Once they cease to be bona fide resident they have 2 years to divest	VAMS title XXIX 442.568	Agricultural land definition expanded	Lease of more than 10 years or renewable at tenant's option which might total ten years deemed ownership for definition of "acquiring" agricultural land within meaning of section 442.560	VAMS title XXIX 442.581
	Agricultural land may be held for non-farming use	Alien may hold agricultural land for immediate or potential use in nonfarming purposes.	VAMS title XXIX 442.591	Agricultural land may be held for nonfarming use	FBE may hold agricultural land for immediate or potential use in nonfarming purposes.	VAMS title XXIX 442.591
	Reporting Requirement	Foreign person holding interest including 10year+ leasehold in agricultural land must submit report to the director of agriculture	VAMS title XXIX 442.592(2)	Reporting requirement for agricultural land ownership	FBE holding interest including 10year+ leasehold in agricultural land must submit report to the director of agriculture	VAMS title XXIX 442.592(2)
				Farming restriction	No corporation not already engaged as of 9/28/1979, may engage in farming or directly or indirectly acquire interest in agricultural land. Exceptions 1-12 listed	VAMS title XXIII 350.015
				Reporting requirement for farming	Corporation engaged in farming shall file report with director of the state department of agriculture upon penalty of \$500 - \$1000	VAMS title XXIII 350.020
		Alienage not a bar to inheritance	Mont. Code 72-2-121			
		State land may be sold to any person over the age of 18	Mont. Code 77-2-306	Coal lease restriction	Coal leases may not be issued to a citizen of another country or entity controlled by interests foreign to the US unless like privileges are afforded to US citizens by such country.	Mont. Code 77-3-305

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Montana	Coal lease restriction	Coal leases may not be issued to a citizen of another country or entity controlled by interests foreign to the US unless like privileges are provided to US citizens by such country.	Mont. Code 77-3-305	Limited Partnerships	Foreign LP definition may exclude alien LP	Mont. Code 35-12-504(4)
					Alien corporation and alien LLC treated as foreign and once qualified authorized to transact business have all rights and privileges of domestic corporation and LLC	Mont. Code 35-1-113 Mont. Code 35-8-102(12)
Nebraska	Potential alien restriction	Rights of aliens with respect to property may be regulated by law	Neb. Const. Article I-25	Farming and ranching restriction	No corporation may acquire or obtain any interest in or any title to real estate used for farming or ranching	Neb. Const. Article XII §8
Nebraska	Reciprocity requirement	Nonresident alien's ability to take property by succession or testamentary disposition dependent on the existence of reciprocal right to US citizens by alien's country	NE St. §4-107	Time restriction and exception	Alien corporation prohibited from owning real estate or leasehold of more than 5 years. Does not apply to real estate within corporate limits or within 3 miles thereof or to manufacturing or industrial establishment defined in §76-413	NE St. §76-402 NE St. §76-414
	Time restriction and exception	Aliens prohibited from owning real estate or leasehold of more than 5 years. Does not apply to real estate within corporate limits or within 3 miles thereof or to manufacturing or industrial establishment defined in 76-413	NE St. §76-402 NE St. §76-414	Trust restriction to agricultural land	Trusts, other than family trust, testamentary trust or authorized trust, may not own agricultural land directly or indirectly	NE ST. §76-1515
	Time restriction and exception	Resident alien may acquire land by devise or decent only but are required to sell within 5 years under penalty of escheat	NE St. §76-405			
Nevada		Nonresident alien may hold real property	NRS title 10 §111-055		Nonresident corporation may hold real property	NRS title 10 §111-055
	Public land residency requirement and acreage restriction	Citizen or permanent resident over 18 may file for public land not to exceed 160 acres		Limited Partnerships	Foreign LP may exclude alien LP	NRS title 7 §88.315(4)
	Mining restriction	Person who legally declares intention to become US citizen may make a mining claim	NRS title 46 §517.010			
New Hampshire	Residency requirement	Aliens resident of the state may hold real estate as if a citizen	NH Rev. Stat. §477.20		Foreign corporations required to obtain certificate of authority to transact business. NOTE: Owning real or personal property, without more, does not constitute transacting business	NH Rev. Stat. §293-A:15.01
				Limited Partnerships	Foreign LP may exclude alien LP	NH Rev. Stat. §304-B:1
New Jersey	Residency and "friend" requirement	Alien "friend" residing in the US may own real estate	NJSA 46:3-18	Certificate of authority required	Once an FBE is properly registered, the FBE has the same rights and privileges as a domestic entity and no limitations apply other than those contained in its own articles, by laws or agreements among its owners.	NJSA 14A: 13-3

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
		Alienage no bar to inheritance	NJSA 3B:5-12			
New Mexico	Eligibility for citizenship required (Constitutional amendment to repeal section on ballot 11/7/06 for Nov. 2006 general election)	No alien ineligible for citizen ship may own real estate	NM Const. Art. 2 § 22	Eligibility for citizenship required (Constitutional amendment to repeal section on ballot 11/7/06 for Nov. 2006 general election)	No alien corporation or corporation with majority of stock or interest owned by aliens may own real estate	NM Const. Art. 2 § 22
		Alienage no bar to heirship	NM Stat. §45-2-111	Limited Partnerships	Foreign limited partnership may exclude alien limited partnerships	NM Stat. §54-2-2(D)
New York		Aliens may own and devise real property as native born citizens	NY Real Prop. Law §10(2)	Mineral rights on state land	Mining rights in state lands limited to US citizens	NY Pub. Lands Law §81
		Alienage no bar to heirship	NY Real Prop. Law §15			
	Mineral rights in state land	Mining rights in state lands limited to US citizens	NY Pub. Lands Law §81			
North Carolina		Aliens may take by purchase and descent as a citizen of the state	NCGSA §64-1			
		Secretary of State directed to collect information and maintain file of all information obtainable from reports by aliens made to agencies of the federal government on ownership of real property in the state.	NCGSA §64-1.1			
	Reciprocity requirement to inheritance	Non-resident alien may not inherit personal property if their country prohibits US citizens from inheriting property within that country.	NCGSA §64-3			
North Dakota		Aliens authorized to own real property	NDCC §47-01-11	Agricultural land restriction	FBE may not directly or indirectly acquire interest in title to agricultural land unless ultimate beneficial interest is held directly or indirectly by US citizen or permanent resident alien of US	NDCC 47-10.1-02(4)
	Agricultural land restriction	Individuals not citizens of US, Canada or permanent resident alien may not own any interest in agricultural land - list of exceptions	NDCC 47-10.1-02(1)(a) through (e)	Agricultural land non-use exception	Foreign entity may acquire agricultural land for use as industrial site if construction contracts are executed within 150 days. Must dispose of land within one year if contracts not executed within 150 days.	NDCC 47-10.1-02(6)
	Agricultural use treaty exception	Agricultural restrictions do not apply to citizens of foreign country whose rights to hold land are secured by treaty .	NDCC 47-10.1-02(7)	Farming or ranching restriction	All corporations and LLC's are prohibited from owning or leasing land for farming or ranching unless they amend articles of incorporation and comply with section 10-06.1-17	NDCC 10-6.01-04
				Farming or ranching reporting requirement	Every corporation engaged in farming or ranching must file annual report with secretary of state before April 16 each year	NDCC 10-06.1-17

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
				Farming or ranching land use acreage reporting requirement	Business not engaged in farming or ranching which owns or leases land used for farming or ranching larger than 20 acres must file within 12 months a report with the attorney general	NDCC 10-6.01-18
Ohio		Aliens may own and inherit land as any US Citizen or of Ohio	ORC title XXI §2105.16			
	Reporting Requirement: Residency, acreage and value restrictions	Nonresident alien owning more than 3 acres or property valued more than \$100,000 or any interest in minerals and any mining rights valued in excess of \$50,000 must register with the secretary of state	ORC §5301.254	Reporting Requirement: Residency restriction for shareholder, acreage and value restrictions	Alien entity where nonresident alien owns at least 10% interest or any number of nonresident aliens own at least 40% combined interest and own property of more than 3 acres in size or valued at more than \$100,000 or any interest in minerals, mining rights worth more than \$50,000 must register with the Secretary of State within 30 days	ORC §5301.254
				Limited Partnerships	Alien LP not included in definition of foreign LP	ORC §1781.01(E)
Oklahoma	Citizenship requirement	No alien or person not a US citizen entitled to acquire land unless they become bona fide residents.	Okla. Const. art. XXII §1	Limitation of location of real estate	Corporation may not hold any real estate located outside of any incorporated city or town. Exceptions apply when land is necessary to carry on business for which corporation was formed, to secure a debt or corporate acquisition due to mortgage foreclosure.	Okla. St. title 18 §1020
	Residency requirement	Resident aliens may own land so long as they remain bona fide resident of state. 5 year limit to alienate lands once no longer inhabitant of state.	Okla. Stat. title 60 §122	Reporting requirement	Corporation holding real estate in contravention of §1020 must file statement with county clerk	Okla. St. title 18 §1020(F)
				Farming or ranching prohibition	No foreign corporation may be licensed to engage in farming or ranching or to own or lease interest in land to be used for farming or ranching. See Exceptions at §954 and §955	Okla. St. title 18 §951 Okla. St. title 18 §954 and §955
Oregon	Public land	Only US citizen or individual who declared an intention to become a citizen over age 18 may apply to purchase public lands	ORS §273.255	Public land	Only US citizen or individual who declares an intention to become a citizen over age 18 may apply to purchase public lands	ORS §273.255
	Mining claim	Only US citizen or individual who declared intention to become such may post a claim	ORS Only 517.010	Mining claim	Only US citizen or individual who declares intention to become such may post a claim	ORS Only 517.010
		Alienage no bar to acquiring land by devise or decent	PA stat. title 68 §22 PA Stat. title 20 §2104(8) PA Stat. title 20 §2518			
	Acreage limitation and state of peace with US	Alien not subject to power at war with US may purchase up to 5000 acres	PA Stat. title 68 §28	Acreage limitation and state of peace with US	Alien not subject to power at war with US may purchase up to 5000 acres	PA Stat. title 68 §28

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
<b>Pennsylvania</b>	Agricultural limitation	Nonresident alien of state or of US state may not acquire interest in agricultural land exceeding 100 acres. Exceptions for land secured by treaty, acquired through debt collection or lien enforcement so long as divested of within 3 years, etc.	PA Stat title 68 §41 through §47	Agricultural limitation	Nonresident alien of state or of US state may not acquire interest in agricultural land exceeding 100 acres. Exceptions apply, such as for land secured by treaty, acquired through debt collection or lien enforcement so long as divested of within 3 years	PA Stat title 68 §41 through §47
<b>Rhode Island</b>	None	Alien may hold real estate as a US citizen	RI Stat §34-2-1	Limited Partnerships	Alien LP not included in definition of foreign LP	RI St. §7-13-1(4)
<b>South Carolina</b>	Acreage limitation	General assembly required to enact law limiting number of acres any alien or corporation controlled by alien may own.	SC Const. art. III §35	Acreage limitation	No alien or corporation controlled by aliens may own more than 500,000 acres	SC Stat. §27-13-30
	Acreage limitation	No alien or corporation controlled by aliens may own more than 500,000 acres	SC Stat. §27-13-30	Agricultural tax	Agricultural land owned by non-resident alien and used for agricultural purpose taxed at 6% of market value as opposed to 4% for others	SC Stat. §12-43-220(d)(1)
				Limited Partnerships	Alien LP expressly not included in definition of foreign LP	SC Stat. §33-42-20(12)
<b>South Dakota</b>	Residency, agricultural and acreage restriction	Nonresident alien may not acquire agricultural lands exceeding 160 acres except by inheritance or devise. Provisions do not apply to foreign governments or subjects of foreign country whose right is secured by treaty.	SD Stat. §43-2A-2	Necessary for business purpose	Corporation may only hold real estate as necessary and proper for legitimate business	SD Const. Article XVII §7
		Nonresident alien who becomes bona fide resident of state or of some US state has right to acquire agricultural lands as a citizen of the state. 3 year time limit to divest after termination of residency.	ST. St. §43-2A-5	Farming restriction	No foreign or domestic corporation may engage in farming or have interest in title to real estate used for farming or capable of being used for farming. Exceptions for greenhouse operations or poultry.	SD Stat. §47-9A-3
<b>Tennessee</b>	None	Aliens may own property as a native citizen	TCA §66-2-101	None		
		Aliens have same real and personal property rights as US citizens.	VTCA §5.005	Limited Partnerships	Foreign LP definition does not appear to include alien LP	VACT 6132b-1.01(8)
		Alienage no bar to right to inherit	VTCA §41			

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
Texas	Appraisal as timberland	Land owned by individual nonresident alien or foreign government is not eligible for appraisal as timberland if federal law requires registration of ownership or acquisition of property.	VCTA Prop. Tax Code §23.77			
Utah	None	Alienage no bar to right to inherit	UCA §75-2-111	Limited Partnerships	Foreign LP definition does not appear to include alien LP	UCA §48-2a-101(5)
Vermont	Perhaps residency required	Person who settles in the state and takes oath or affirmation of allegiance to same may own real estate. Nonresident not expressly addressed	VT Const. Ch. II §66			
Virginia	Reciprocity with foreign government	Alien, not an enemy may own real estate except when native country denies Virginia resident same benefit.	VA Code Ann. §55-1	None		
		Alienage no bar to right to inherit	VA Code Ann. §64.1-4			
Washington		Any alien may acquire and inherit land as a native citizen	RCWA §64.16.005	None		
West Virginia	None	Any alien may acquire and inherit land as a native citizen	WVa Code §36-1-21 WVa Code §42-1-4	Foreign corporation land ownership reporting required prior to obtaining certificate of authority	Tax applies to corporation holding more than 10,000 acres. Foreign corporation must state in its application for authority to hold property the number of acres it desires to hold and pay taxes to Secretary of State before certificate of incorporation or authority is issued	WVa. Code §11-12-75
				Limited Partnerships	Foreign LP may not include alien LP	W.Va. Code §47-9-1(6)
Wisconsin	Residency restriction	No distinction between resident aliens and citizens regarding possession or descent of property	Wis. Const. Art. I §23	Alien corporations acreage limitation	Corporations not created under the laws of the US may not hold interest in more than 640 acres. Penalty is forfeiture to state	Wis. Stat. §710.02(1)(b) Wis. Stat. §710.02(6)
	Residency restriction acreage limitation	Nonresident of US may not acquire interest directly or indirectly in more than 640 acres	Wis. Stat. §710.02(1)(a) Wis. Stat. §710.02(6)	Alien corporation/nonresident acreage restriction	FBE with 20% or more of its equity owned by nonresident alien or corporation, not created under laws of US prohibited from owning more than 640 acres. Penalty is forfeiture to state.	Wis. Stat. §710.02(1)(c) Wis. Stat. §710.02(6)
	Exception to residency and acreage limitation	Residency restriction and acreage limitation excepted for subjects of foreign government is to hold larger quantity of land is secured by treaty.	Wis.Stat. §710.02(2)(b)	Reporting Requirement	If report is required under 7 USC 3501 to 3508, duplicate must be filed with the secretary of agriculture. Penalty \$500-\$5000	Wis. Stat. §710.02(4) Wis. Stat. §710.02(7)
	Reporting Requirement	If report is required under 7 USC 3501 to 3508 duplicate must be filed with the secretary of agriculture. Penalty \$500-\$5000	Wis. Stat. §710.02(4) Wis. Stat. §710.02(7)	Farming restriction	Corporations and trusts generally prohibited from owning land on which to carry on farming operations. Exceptions listed. Penalty \$1000 per day	Wis. Stat. §182.001

State	Alien individual restriction(s)	Comments	Citation	Alien/Foreign entity restriction(s)	Comments	Citation
	Possible residency requirement	No distinction between resident aliens and citizens	WY Const. Art. 1 §29			
Wyoming	Reciprocal rights with foreign government	Alienage no bar to right to inherit unless laws of country of nonresident alien do not allow US citizen to take real property by succession or testamentary disposition.	WY St. 2-4-105	Note:	Foreign corporation ownership, without more, of real or personal property does not constitute transacting business in state.	WY St. §17-16-1501(b)(ix)
				Limited Partnerships	Alien LP not included in definition of foreign LP	WY St. §17-14-201(a)(iv)