

Session of 2025

## HOUSE BILL No. 2290

By Committee on Commerce, Labor and Economic Development

Requested by Representative Croft

2-5

1 AN ACT concerning ~~real~~ property; relating to certain lands and military  
2 installations; enacting the Kansas land and military installation  
3 protection act; prohibiting foreign principals from countries of concern  
4 from acquiring any interest in certain real property in this state;  
5 authorizing the fusion center oversight board to adopt rules and  
6 regulations to add or remove federally designated foreign terrorist  
7 organizations from the definition of country of concern; prohibiting  
8 foreign principals from countries of concern from receiving any  
9 economic development program benefits; amending K.S.A. 2024 Supp.  
10 60-4104 and 60-4106 and repealing the existing sections.  
11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 New Section 1. (a) Sections 1 through 8, and amendments thereto,  
14 shall be known and may be cited as the Kansas land and military  
15 installation protection act.

16 (b) The purpose of this act is to protect certain real property and  
17 military installations located in this state by prohibiting countries of  
18 concern and any agent thereof from acquiring any interest in such real  
19 property.

20 New Sec. 2. As used in sections 1 through 8, and amendments  
21 thereto:

22 (a) "Attorney general" means the attorney general of the state of  
23 Kansas.

24 (b) "Company" means any:

25 (1) For-profit corporation, partnership, limited partnership, limited  
26 liability partnership, limited liability company, joint venture, trust,  
27 association, sole proprietorship or other organization, including any:

28 (A) Subsidiary of such company, a majority ownership interest of  
29 which is held by such company;

30 (B) parent company that holds a majority ownership interest of such  
31 company; ~~and~~

32 (C) other affiliate or business association of such company whose  
33 primary purpose is to make a profit; or  
34 (2) nonprofit organization.

35 (c) (1) "Country of concern" means the following:

This proposed amendment:

Adds "representative agent of such country" to the definition of company

Amends the definition of "country of concern" to include the list of countries, as  
set forth in HIB 2293 instead of the reference to federal law.

Note that additional technical or grammatical changes may be necessary.

and  
(D) representative agent of such company;

1 (A) ~~Any foreign adversary, as such term is defined by 15 C.F.R. §~~  
 2 ~~7.4, as in effect on April 1, 2025;~~ and  
 3 (B) any organization that is designated as a foreign terrorist

4 organization as of July 1, 2025, pursuant to 8 U.S.C. § 1189, as in effect on  
 5 July 1, 2025, except as otherwise provided by rules and regulations  
 6 adopted by the fusion center oversight board pursuant to section 7, and  
 7 amendments thereto.

8 (2) ~~"Country of concern" does not include the republic of China~~  
 9 ~~(Taiwan).~~

10 (d) "De minimis interest" means any interest in real property that is:

11 (1) The result of ownership of registered securities in a publicly  
 12 traded company; and

13 (2) such ownership is:

14 (A) Less than 10% of any class of registered securities or less than  
 15 10% of the aggregate registered securities of multiple classes of securities;  
 16 or

17 (B) a noncontrolling interest in an entity that is controlled by a  
 18 company that is registered with the United States securities and exchange  
 19 commission as an investment adviser under the investment advisers act of  
 20 1940, P.L. 117-263 and is not a foreign entity.

21 (e) "Domicile" means the country where:

22 (1) A company is organized;

23 (2) a company completes a substantial portion of its business; or

24 (3) a majority of a company's ownership interest is held.

25 (f) "Economic development incentive program" means:

26 (1) Any economic development incentive program administered  
 27 wholly or in part by the secretary of commerce;

28 (2) any tax credit, except for social and domestic tax credits,  
 29 regardless of the administering state agency;

30 (3) property that has been exempted from ad valorem taxation under  
 31 the provisions of section 13 of article 11 of the constitution of the state of  
 32 Kansas;

33 (4) property that has been purchased, acquired, constructed,  
 34 reconstructed, improved, equipped, furnished, repaired, enlarged or  
 35 remodeled with all or any part of the proceeds of revenue bonds issued  
 36 under any authority granted in article 17 of chapter 12 of the Kansas  
 37 Statutes Annotated, and amendments thereto;

38 (5) any economic development fund, including, but not limited to, the  
 39 job creation program fund established by K.S.A. 74-50,224, and  
 40 amendments thereto, and the economic development initiatives fund  
 41 established by K.S.A. 79-4804, and amendments thereto; and

42 (6) any other economic development incentive program that provides  
 43 any form of tax credit, abatement or exemption or financial assistance

(i) People's republic of China, including the Hong Kong special  
 administrative region;

(ii) republic of Cuba;

(iii) islamic republic of Iran;

(iv) democratic people's republic of Korea;

(v) Russian federation; and

(vi) Bolivarian republic of Venezuela.

(B) "Country of concern" does not include the republic of China  
 (Taiwan)