



Kansas Agribusiness Retailers Association
816 SW Tyler, Topeka, Kansas | 785.220.5211

To: Senate Committee on Federal and State Affairs
From: Randy Stookey, Senior Vice President of Government Affairs and General Counsel
Date: February 7, 2024
RE: **Neutral Written Testimony on SB 446, prohibiting acquisitions of ownership interests in certain Kansas real property by foreign individuals and entities unless authorized by the state land council and establishing the state land council.**

Chairman Thompson and members of the committee, thank you for the opportunity to provide testimony on Senate Bill 446. This testimony is submitted on behalf of the Kansas Agribusiness Retailers Association (KARA).

KARA is a state-wide agribusiness industry trade association comprising over 700 member companies that supply agricultural input products to Kansas farmers, including pesticides, herbicides, seed, fertilizer, fuel, and agronomic services.

We understand the intent of Senate Bill 446 is to prohibit the conveyance of real property in Kansas to certain foreign individuals as set forth in the bill. Specifically, the bill would prohibit foreign adversaries from purchasing and, at times, leasing land after July 1, 2024, unless authorized by a state land council.

This issue has become one of high significance in this state and others. Legislation similar to SB 446 is being considered by state legislatures across the country, including many in the Midwest.

One key consideration being discussed is whether any such legislation should reach back to require divestment of currently held property. Retroactive provisions would directly affect one KARA member that has owned an important research and development ag plot in our state for nearly a quarter of a century. For this reason, KARA appreciates that Senate Bill 446 is prospective only.

The company - a world leader in seed and crop protection products - was originally a Swiss-owned company that, in 2017, was purchased by ChemChina. While under Chinese ownership, the company remains a Swiss-based global company.

Our member company uses its research and development plot for product testing and demonstrating the efficacy of seeds and products in Kansas' soils, crop mix, climate zone, moisture levels, and insect and weed pressure.

We also appreciate the proposal within this bill of creating a state land council to review applications for exemption to the prohibitions within the bill. The council would provide sufficient oversight of any regulated transactions, without unnecessarily chilling agricultural and industrial activities in our state.

KARA is working with other stakeholders in this issue. As we move forward with meaningful legislation on foreign-adversary land ownership, we would ask that the language be prospective only, and allow land leasing with appropriate oversight from the state land council.

Thank you for considering our testimony on Senate Bill 446.