

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2873

By Delegates Holstein, Martin, Chiarelli, Kump, and
Kimble

[Introduced February 24, 2025; referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §36-1-21a, relating to the prohibition of certain foreign ownership of land in this
3 state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. CREATION OF ESTATES GENERALLY.

§36-1-21a. Certain foreign ownership of agricultural land prohibited.

1 (a) Notwithstanding any other law, the following may not purchase or otherwise acquire
2 title to agricultural land in this state:

3 (1) A governmental entity of China;

4 (2) A company or other entity that is:

5 (i) Headquartered in China;

6 (ii) Directly or indirectly held or controlled by the government of China; or

7 (iii) Owned by or the majority of stock or other ownership interest of which is held or
8 controlled by individuals who are citizens of China; or

9 (3) A company or other entity that is owned by or the majority of stock or other ownership
10 interest of which is held or controlled by a company or entity described by Subdivision (2);

11 (b) Any person, company or entity described in sub-section (a) of this section who acquired
12 any agricultural land in this state prior to July 1, 2025, may not grant, sell, or otherwise transfer
13 such agricultural land to any other alien or foreign business on or after July 1, 2025. No person,
14 may hold agricultural land as an agent, trustee, or other fiduciary for a person, company or entity
15 described in sub-section (a): *Provided*, That no security interest in the agricultural land may be
16 divested or invalidated by such violation.

17 (c) Any person, company or entity described in sub-section (a) of this section who acquires
18 agricultural land in violation of this provision remains in violation of this provision for as long as the
19 nonresident alien or foreign business holds an interest in the land: *Provided*, That no security
20 interest in such agricultural land may be divested or invalidated by such violation.

21 (d) Subject to the provisions of subsection (a) of this section, all proposed transfers on or
22 after July 1, 2025, by grant, purchase, devise, descent, or otherwise of any interest in agricultural
23 land held by any person, company or entity described in sub-section (a) of this section in this state
24 shall be submitted to the West Virginia Department of Agriculture to determine whether such
25 transfer of agricultural land is conveyed in accordance with the prohibition on alien and foreign
26 ownership of agricultural land in this state under this section. The department shall establish by
27 rule the requirements for submission and approval of requests under this subsection.

NOTE: The purpose of this bill is to prohibit certain foreign ownership of land in this state.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.