

90 (3) The department may establish or contract for the establishment of an Organ
91 Procurement Donor Registry in accordance with Section 26B-8-319.

92 Section 2. Section **63L-13-101** is amended to read:

93 **63L-13-101. Definitions.**

94 As used in this chapter:

95 (1) "Interest in land" means any right, title, lien, claim, interest, or estate with respect to
96 land.

97 (2) (a) "Land" means all real property within the state.

98 (b) "Land" includes:

99 (i) agricultural land, as defined in Section 4-46-102;

100 (ii) land owned or controlled by a political subdivision;

101 (iii) land owned or controlled by a school district;

102 (iv) non-federal land, as defined in Section 9-9-402;

103 (v) private land;

104 (vi) public land;

105 (vii) state land, as defined in Subsection 9-9-402(14)(a);

106 (viii) waters of the state, as defined in Subsection 19-5-102(23)(a); and

107 (ix) subsurface land.

108 (c) "Land" does not include real property that is owned, controlled, or held in trust by
109 the federal government.

110 (3) "Land conveyance" means the transfer of any interest in land from one party to
111 another.

112 [~~(3)~~] (4) "Restricted foreign entity" means:

113 (a) a company that the United States Secretary of Defense is required to identify and
114 report as a military company under Section 1260H of the William M. (Mac) Thornberry
115 National Defense Authorization Act for Fiscal Year 2021, Pub. L. No. 116-283;

116 (b) an entity that is owned or directly controlled by the government of China, Iran,
117 North Korea, or Russia;

118 (c) an affiliate, subsidiary, or holding company of ~~H~~→ [a company] an entity ←~~H~~
118a described in Subsection

119 [~~(3)~~]~~(a)~~] (4)(a) or (b);

120 [~~(c)~~] (d) a country with a commercial or defense industrial base of which [a company]

152 (iii) any additional information the department deems necessary;

153 (d) investigate the validity of each land conveyance a county recorder reports under this
154 section;

155 (e) when, after investigation, the department determines that a land conveyance
156 violates this section:

157 (i) give notice to the restricted foreign entity that:

158 (A) the land conveyance violates this section; and

159 (B) Section 63L-13-202 requires the restricted foreign entity to alienate the restricted
160 foreign entity's interest in the land within one year or the Division of Facilities Construction
161 and Management will sell the interest in accordance with Subsection 63L-13-202(3); and

162 (ii) notify the county recorder of the county in which the land is located of the land
163 conveyance; and

164 (f) coordinate with the Division of Facilities Construction and Management to facilitate
165 a sale of the interest in land as described in Section 63L-13-202.

166 (5) A county recorder:

167 (a) is not liable for ~~H→~~ [recording] ~~←H~~ a conveyance to a restricted foreign entity ~~H→~~ [,if
167a an entity

168 does not appear on the department's list described in Subsection (4)(a)] ~~←H~~ ; and

169 (b) shall, upon notice from the department under Subsection (4)(e)(ii), create a ~~H→~~ public
169a ~~←H~~ record

170 of each violation of this section.

171 Section 4. Section 63L-13-202 is amended to read:

172 **63L-13-202. Alienate within one year -- Sale of property.**

173 (1) ~~H→~~ **(a) ~~←H~~** A restricted foreign entity that acquires an interest in land on or after [~~May~~
173a ~~3, 2023,~~

174 ~~by grant, gift, donation, devise, or bequest] May 1, 2024, shall alienate the interest within [~~five~~
175 ~~years] one year after the date of acquisition.~~~~

175a ~~H→~~ **(b) A restricted foreign entity that acquired an interest in land before May 1, 2024, shall**
175b **alienate the interest on or before May 1, 2025. ~~←H~~**

176 (2) If a restricted foreign entity fails to alienate an interest in land [~~in accordance with~~
177 ~~Subsection (1), the interest escheats to the state.] as described in Subsection (1), the Division of
178 Facilities Construction and Management shall sell the interest in land in accordance with
179 Subsection (3).~~

180 (3) The Division of Facilities Construction and Management shall sell an interest in
181 land described in Subsection (2):

182 (a) at public auction;

183 (b) when practicable, in the city, town, or precinct where the land is located;

184 (c) the day after the one year time period described in Subsection (1) elapses, but not

185 longer than one year after the day on which the time period in Subsection (1) elapses;

186 (d) after publication of the date, time, and place of sale:

187 (i) in a newspaper having general circulation in the county, once in each of the two

188 successive weeks immediately preceding the date of the sale; and

189 (ii) in accordance with Section 45-1-101 for the two weeks immediately preceding the
190 date of the sale; and

191 (e) after notification, sent by certified mail at least 10 days before the first date of
192 publication described in Subsection (3)(d), to:

193 (i) the restricted foreign entity;

194 (ii) all lien holders of record; and

195 (iii) any other person known to have an interest in the land.

195a **H→ (4) If a political subdivision sold an interest in land described in Subsection (2) to the**
195b **restricted foreign entity, the political subdivision has a right of first refusal before the sale**
195c **described in Subsection (3). ←H**

195a **H→ [(4)] (5) After the sale of the interest in land described in Subsection (3), the Division of**
195b **Facilities Construction and Management shall submit to the county recorder for recording**
195c **notice of a sale described in this section. ←H**

196 **H→ [(4)] [(5)] (6) ←H Proceeds from a sale under Subsection (3) shall:**

197 (a) satisfy any outstanding liens on the interest in land; and

198 (b) after satisfying any outstanding liens, be deposited into the General Fund.

199 **Section 5. Effective date.**

200 This bill takes effect on May 1, 2024.