

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB893 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Chad Caldwell

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE
FOR ENGROSSED

SENATE BILL NO. 893

By: Howard and Pederson of the
Senate

and

Caldwell (Chad) and Manger
of the House

FLOOR SUBSTITUTE

[property and critical infrastructure - Military
Installation & Military Operating Areas and
Critical Infrastructure Protection Act of 2025 -
defining terms - Office of the Attorney General -
noncodification - codification - effective date]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Military
Installation & Military Operating Areas and Critical Infrastructure
Protection Act of 2025".

1 SECTION 2. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 128.1 of Title 60, unless there
3 is created a duplication in numbering, reads as follows:

4 A. As used in this act:

5 1. "Agricultural land" shall mean a land area that is either
6 arable, under permanent crops, or under permanent pastures. Arable
7 land includes land under temporary crops such as cereals, temporary
8 meadows for mowing or pasture, land under market or kitchen gardens,
9 and land temporarily fallow. Land abandoned as a result of shifting
10 cultivation is excluded. Land under permanent crops is cultivated
11 with crops that occupy the land for long periods and need not be
12 replanted after each harvest, such as orchards or vineyards. This
13 category excludes land under trees grown for wood or timber.
14 Permanent pasture land is land used for five (5) or more years for
15 forage, including natural and cultivated crops;

16 2. "Company" shall mean a for-profit sole proprietorship,
17 organization, association, corporation, partnership, joint venture,
18 limited partnership, limited liability partnership, or limited
19 liability company, including a wholly owned subsidiary, majority-
20 owned subsidiary, parent company, or affiliate of those entities or
21 business associations, that exists to make a profit; or a nonprofit
22 organization;

23 3. "Critical infrastructure" shall mean systems and assets,
24 whether physical or virtual, so vital to Oklahoma or the United

1 States that the incapacity or destruction of such systems and assets
2 would have a debilitating impact on state or national security,
3 state or national economic security, state or national public
4 health, or any combination of those matters. A critical
5 infrastructure may be publicly or privately owned and includes, but
6 is not limited to:

- 7 a. gas and oil production, storage, or delivery systems,
- 8 b. water supply, refinement, storage, or delivery
9 systems,
- 10 c. telecommunications networks,
- 11 d. electrical power delivery systems,
- 12 e. emergency services,
- 13 f. transportation systems and services, or
- 14 g. personal data or otherwise classified information
15 storage systems, including cybersecurity;

16 4. "Cybersecurity" shall mean the measures taken to protect a
17 computer, computer network, computer system, or other technology
18 infrastructure against unauthorized use or access;

19 5. "Domicile" shall mean either the country in which a company
20 is registered, where the affairs of the company are primarily
21 completed, or where the majority of ownership share is held;

22 6. "Foreign adversary" shall mean China, Russia, Iran, and
23 North Korea;

24 7. "Foreign principal" shall mean:

- a. the government or any official of the government of a foreign adversary,
- b. a political party or member of a political party or any subdivision of a political party of a foreign adversary,
- c. a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign adversary, or a subsidiary of such entity, or owned or controlled wholly or in part by any person, entity, or collection of persons or entities of a foreign adversary,
- d. any person who is domiciled in a foreign adversary and is not a citizen or lawful permanent resident of the United States, or
- e. any person, entity, or collection of persons or entities, described in subparagraphs a through d of this paragraph having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property;

8. "Military base or installation" shall mean any land, Military Operating Areas structures, or property owned or controlled by any division of the United States Department of Defense, Oklahoma

1 National Guard, or any other department of government, state or
2 federal, critical to the safety and security of Oklahoma or the
3 United States;

4 9. "Non-notified transactions" shall mean foreign investments
5 in the United States that are not voluntarily submitted to the
6 Committee on Foreign Investment in the United States for review
7 under 50 U.S.C., Section 4565;

8 10. "Operational software" shall mean computer programs used
9 for the operation, control, maneuver or maintenance of state
10 infrastructure, or any other computer program applications related
11 to state infrastructure;

12 11. "Software" shall mean any program or routine, or any set of
13 one or more programs or routines, which are used or intended for use
14 to cause one or more computers or pieces of computer related
15 peripheral equipment, or any combination thereof, to perform a task
16 or set of tasks, as it relates to state infrastructure;

17 12. "State infrastructure" shall mean critical infrastructure
18 and transportation infrastructure; and

19 13. "Transportation infrastructure" shall include, but not be
20 limited to:

21 a. airports including, but not limited to, commercial and
22 intermodal airports and heliports and all airport
23 infrastructure,
24

- b. roadways including, but not limited to, publicly accessible streets, roads, highways, and bridges and all roadway infrastructure including, but not limited to, signage, toll booths, weigh stations, and traffic signals,
- c. railways including, but not limited to, all classes of freight rail and passenger rail and all railway infrastructure including, but not limited to, intermodal rail yards and signals,
- d. ports including, but not limited to, inland ports, seaports, deepwater ports, inland waterways, and levees and all port infrastructure including, but not limited to, intermodal stations, and
- e. public transit including bus, ferry, cable car, tram, trolley, and other types of publicly accessible transportation and all public transit infrastructure.

B. This act does not apply to a company, including third-party vendor, that is in compliance with the Secure and Trusted Communications Networks Act of 2019.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 128.2 of Title 60, unless there is created a duplication in numbering, reads as follows:

A. A foreign principal from a foreign adversary country may not directly or indirectly own, have an interest of greater than twenty-

1 five percent (25%) in, or acquire by purchase, grant, devise, or
2 descent agricultural land or any interest, except a de minimis
3 indirect interest, in such land in this state. A foreign principal
4 has a de minimis indirect interest if any ownership is the result of
5 the foreign principal's ownership of registered equities in a
6 publicly traded company owning the land and if the ownership of the
7 foreign principal in the country is either:

8 1. Less than five percent (5%) of any class of registered
9 equities or less than five percent (5%) in the aggregate in multiple
10 classes of registered equities; or

11 2. A noncontrolling interest in an entity controlled by a
12 company that is both registered with the United States Securities
13 and Exchange Commission as an investment advisor under the
14 Investment Advisers Act of 1940, as amended, and is not a foreign
15 entity.

16 B. A foreign principal that directly or indirectly owns or
17 otherwise controls agricultural land, as defined in Section 2 of
18 this act, in this state must sell, transfer, or otherwise divest
19 itself of the agricultural land within one hundred eighty (180) days
20 of the effective date of this act.

21 C. A foreign principal that directly or indirectly owns or
22 acquires agricultural land or any interest in such land in this
23 state shall register with the Oklahoma Department of Agriculture,
24 Food, and Forestry within sixty (60) days of the effective date of

1 this act or the date of acquisition, whichever is latest. The
2 Department shall establish a form for such registration which, at
3 minimum, shall include all of the following:

4 1. The name of the owner of the agricultural land or the owner
5 of the interest in such land;

6 2. The address of the agricultural land, the parcel
7 identification number of the property appraiser, and the legal
8 description of the property; and

9 3. The number of acres of the agricultural land.

10 D. Notwithstanding the provisions of subsection A of this
11 section, a foreign principal from a foreign adversary country may
12 acquire agricultural land on or after the effective date of this act
13 by devise or descent, through the enforcement of security interests,
14 or through the collection of debts, provided that the foreign
15 principal sells, transfers, or otherwise divests itself of the
16 agricultural land within one hundred eighty (180) days of acquiring
17 the agricultural land.

18 E. Any current deeds, contracts, rental agreements, or other
19 legal agreements in conflict with the provisions of this act shall
20 be deemed invalid from the date of adoption unless otherwise
21 provided.

22 F. The responsibility for determining whether an entity is
23 subject to the provisions of this section rests solely with the
24 foreign entity, the Attorney General, any qualifying whistleblower,

1 and no other individual or entity. An individual or entity who is
2 not a foreign entity shall not be required to determine or inquire
3 whether another person or entity is or may be subject to this
4 section, and shall bear no civil or criminal liability under the
5 provisions of this section.

6 G. If a foreign principal from a foreign adversary country does
7 not divest the real property as required by this section, the
8 Attorney General shall commence an action in district court within
9 the jurisdiction of the real property.

10 H. If the real property is held in violation of the provisions
11 of this section, the district court shall order that the real
12 property be sold through judicial foreclosure.

13 I. If a whistleblower referral results in a divestiture of land
14 or other assets held in violation of the provisions of this section,
15 the whistleblower shall be entitled to a reward equal to thirty
16 percent (30%) of the proceeds of the land sale that results from the
17 violation of this section after payments to lienholders. Proceeds
18 of the sale shall be disbursed in the following order, as
19 applicable:

20 1. The payment of authorized costs of the sale, including all
21 approved fees and expenses of the referee and any taxes and
22 assessments due;

1 2. The payment, in an amount approved by the court, to the
2 Office of the Attorney General for reimbursement of investigation
3 and litigation costs and expenses;

4 3. To bona fide lienholders, in their order of priority, except
5 for liens which under the terms of the sale are to remain on the
6 property;

7 4. To whistleblowers; and

8 5. To the restricted foreign entity.

9 J. The Oklahoma Department of Agriculture, Food, and Forestry
10 shall adopt rules to implement the provisions of this section.

11 K. Any entity that has a national security agreement with the
12 Committee on Foreign Investment in the United States and continues
13 to maintain that national security agreement may purchase, lease, or
14 acquire a maximum of three hundred and fifty (350) acres of
15 agricultural land for the purposes of:

16 1. Agricultural research and development; or

17 2. Experimental purposes, including testing, development, or
18 production of any crop production inputs for sale or resale to
19 farmers, including but not limited to:

20 a. seeds,

21 b. plants,

22 c. pesticides,

23 d. soil amendments,

24 e. biologicals, or

1 f. fertilizers.

2 SECTION 4. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 128.3 of Title 60, unless there
4 is created a duplication in numbering, reads as follows:

5 A. A foreign principal from a foreign adversary country shall
6 not be allowed to directly or indirectly purchase, hold, rent, or
7 otherwise control any real property within ten (10) miles of a
8 military base or installation and to include military operating
9 areas of each Oklahoma Military base or installation.

10 B. A foreign principal that directly or indirectly controls any
11 real property covered by the provisions of subsection A of this
12 section, excluding temporary contractual agreements such as rental
13 or lease agreements, must sell, transfer, or otherwise divest itself
14 of the property within one hundred eighty (180) days of the
15 effective date of this act.

16 C. Any current deeds, contracts, rental agreements, or other
17 legal agreements in conflict with this act shall be deemed invalid
18 from the date of adoption unless otherwise provided.

19 D. If a foreign principal from a foreign adversary country does
20 not divest the real property as required by the provisions of this
21 section, the Attorney General shall commence an action in the
22 district court within the jurisdiction of the real property.

1 E. If the real property is held in violation of the provisions
2 of this section, the district court shall order that the real
3 property be sold through judicial foreclosure.

4 F. If a whistleblower referral results in a divestiture of land
5 or other assets held in violation of the provisions of this section,
6 the whistleblower shall be entitled to a reward equal to thirty
7 percent (30%) of the proceeds of the land sale that results from the
8 violation of the provisions of this section after payments to
9 lienholders. Proceeds of the sale shall be disbursed in the
10 following order, as applicable:

11 1. The payment of authorized costs of the sale, including all
12 approved fees and expenses of the referee and any taxes and
13 assessments due;

14 2. The payment, in an amount approved by the district court, to
15 the Attorney General for reimbursement of investigation and
16 litigation costs and expenses;

17 3. To bona fide lienholders, in their order of priority, except
18 for liens which under the terms of the sale are to remain on the
19 property;

20 4. To whistleblowers; and

21 5. To the restricted foreign entity.

22 G. The responsibility for determining whether an entity is
23 subject to this section rests solely with the foreign entity, the
24 Attorney General, any qualifying whistleblower, and no other

1 individual or entity. An individual or entity who is not a foreign
2 entity shall not be required to determine or inquire whether another
3 person or entity is or may be subject to the provisions of this
4 section, and shall bear no civil or criminal liability under the
5 provisions of this section.

6 SECTION 5. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 128.4 of Title 60, unless there
8 is created a duplication in numbering, reads as follows:

9 A. Any individual may act as a whistleblower and provide a
10 referral to the Office of the Attorney General for violations of the
11 provisions of Section 3 and Section 4 of this act.

12 B. If a whistleblower referral results in a divestiture of land
13 or other assets held in violation of the provisions of this act, the
14 whistleblower shall be entitled to a reward equal to thirty percent
15 (30%) of the proceeds of the land sale that results from violation
16 of this act.

17 C. The whistleblower enforcement provision shall take effect
18 one hundred eighty (180) days after the effective date of this act.

19 SECTION 6. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 13003 of Title 74, unless there
21 is created a duplication in numbering, reads as follows:

22 A. All software used in state infrastructure located within or
23 serving Oklahoma shall not include any software produced by a
24

1 federally banned corporation, nor any software banned at the federal
2 level.

3 B. All software used in state infrastructure located within or
4 serving Oklahoma shall not include any software produced in or by a
5 foreign adversary, a state-owned enterprise of a foreign adversary,
6 or a company domiciled within a foreign adversary.

7 C. All software used in state infrastructure in operation
8 within or serving Oklahoma, to include any state infrastructure
9 which is not permanently disabled, shall have all software
10 prohibited by subsection A or B of this section removed and replaced
11 with software which is not prohibited by subsection A or B of this
12 section.

13 D. Any state infrastructure provider that removes,
14 discontinues, or replaces any prohibited software shall not be
15 required to obtain any additional permits from any state agency or
16 political subdivision for the removal, discontinuance, or
17 replacement of such software as long as the state agency or
18 political subdivision is properly notified of the necessary
19 replacements and the replacement software is similar to the existing
20 software.

21 SECTION 7. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 13004 of Title 74, unless there
23 is created a duplication in numbering, reads as follows:

24

1 A. The Office of the Attorney General shall establish a process
2 by which local officials, states officials, or other persons may
3 submit information or concerns to the Office regarding non-notified
4 transactions in Oklahoma. The Office of the Attorney General may
5 adopt any necessary rules to implement the provisions of this
6 subsection.

7 B. The Office of the Attorney General may submit a memorandum
8 or report concerning non-notified transactions the Attorney General
9 has identified in Oklahoma to the Committee on Foreign Investment in
10 the United States.

11 C. The Office of the Attorney General shall:

12 1. Retain a copy of any documents submitted to the Committee on
13 Foreign Investment in the United States that are included with a
14 memorandum or report submitted under the provisions of subsection B
15 of this section; and

16 2. Notify the Legislature and the Governor as soon as
17 practicable after submitting a memorandum, report, or other
18 information pursuant to the provisions of subsection B of this
19 section.

20 SECTION 8. This act shall become effective November 1, 2025.

21
22 60-1-13647 TKR 04/30/25
23
24