

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1963

By: Hamilton

AS INTRODUCED

An Act relating to property and critical infrastructure; creating the Military Installation and Critical Infrastructure Protection Act of 2026; providing short title; defining terms; prohibiting foreign principals from foreign countries from owning, having an interest in, or acquiring agricultural land; describing scope of de minimis indirect interest; directing the sale, transfer, or divestiture of agricultural land under certain circumstances; establishing registration requirements; allowing for the acquisition of agricultural land under certain circumstances; deeming contracts, deeds, or other agreements invalid; assigning the Attorney General with the responsibility of making certain determinations; granting the Attorney General the authority to commence certain actions in district court; providing for the sale of land through judicial foreclosure; providing payment of a reward to whistleblowers; providing for the disbursement of proceeds; providing for the adoption of rules; prohibiting foreign principals from foreign countries from purchasing, holding, renting, or controlling any property near military bases or installations; requiring the sale, transfer, or divestiture of property within certain time period; deeming contracts, deeds, or other agreements invalid; granting the Attorney General the authority to commence certain actions in district court; providing for the sale of land through judicial foreclosure; providing payment of a reward to whistleblowers; providing for the disbursement of proceeds; assigning the Attorney General with the responsibility of making certain determinations; establishing guidelines for whistleblowers; providing for referrals to the Office of the Attorney General;

1 establishing rewards for whistleblowers; setting  
2 effective date for whistleblower enforcement  
3 provision; prohibiting entities and governmental  
4 entities from entering into agreements relating to  
5 critical infrastructure with foreign principals from  
6 foreign countries; authorizing entities and  
7 governmental entities to enter into agreements under  
8 certain circumstances; requiring companies to file a  
9 certification form prior to accessing critical  
10 infrastructure; establishing guidelines for  
11 maintaining registrations; setting fee for  
12 administering certification process; providing for  
13 the revocation of certifications; prohibiting the use  
14 of certain software in state infrastructure;  
15 providing for the replacement of prohibited software;  
16 providing software removal and notification  
17 requirements; directing the Office of the Attorney  
18 General to establish reporting process for non-  
19 notified transactions; authorizing the Office of the  
20 Attorney General to submit memorandums or reports to  
21 certain committee; directing the Attorney General to  
22 retain certain documents and notify the Legislature  
23 and Governor; providing for noncodification;  
24 providing for codification; and providing an  
25 effective date.

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

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

29 This act shall be known and may be cited as the "Military  
30 Installation and Critical Infrastructure Protection Act of 2026".

31 SECTION 2. NEW LAW A new section of law to be codified  
32 in the Oklahoma Statutes as Section 128.1 of Title 60, unless there  
33 is created a duplication in numbering, reads as follows:

34 As used in this act:

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

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

19        3. "Critical infrastructure" shall mean systems and assets,  
20 whether physical or virtual, so vital to Oklahoma or the United  
21 States that the incapacity or destruction of such systems and assets  
22 would have a debilitating impact on state or national security,  
23 state or national economic security, state or national public  
24 health, or any combination of those matters. A critical

1 infrastructure may be publicly or privately owned and includes, but  
2 is not limited to:

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

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

16 5. "Data center" means a facility whose primary services are  
17 the storage, management, and processing of digital data and that is  
18 used to house:

- 19 a. computer and network systems, including associated
- 20 components such as servers, network equipment and
- 21 appliances, telecommunications, and data storage
- 22 systems,
- 23 b. systems for monitoring and managing infrastructure
- 24 performance,
- 25

- c. equipment used for the transformation, transmission, distribution, or management of at least one megawatt of capacity of electrical power and cooling, including substations, uninterruptible power supply systems, all electrical plant equipment, and associated air handlers,
- d. Internet-related equipment and services,
- e. data communications connections,
- f. environmental controls,
- g. fire protection systems, and
- h. security systems and services;

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

7. "Foreign country" shall mean any country besides the United States;

8. "Foreign principal" shall mean:

- a. the government or any official of the government of a foreign country,
- b. a political party or member of a political party or any subdivision of a political party of a foreign country,
- c. a partnership, association, corporation, organization, or other combination of persons organized under the

1 laws of or having its principal place of business in a  
2 foreign country, or a subsidiary of such entity, or  
3 that is owned or controlled wholly or in part by any  
4 person, entity, or collection of persons or entities  
5 of a foreign country,

6 d. any person who is domiciled in a foreign country and  
7 is not a citizen or lawful permanent resident of the  
8 United States, or

9 e. any person, entity, or collection of persons or  
10 entities, described in subparagraphs a through d of  
11 this paragraph having a controlling interest in a  
12 partnership, association, corporation, organization,  
13 trust, or any other legal entity or subsidiary formed  
14 for the purpose of owning real property;

15 9. "Military base or installation" shall mean any land,  
16 structure, or property owned or controlled by any division of the  
17 United States Department of Defense, Oklahoma National Guard, or any  
18 other department of government, state or federal, critical to the  
19 safety and security of Oklahoma or the United States;

20 10. "Non-notified transactions" shall mean foreign investments  
21 in the United States that are not voluntarily submitted to the  
22 Committee on Foreign Investment in the United States for review  
23 under 50 U.S.C., Section 4565;

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

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

10       13. "State infrastructure" shall mean critical infrastructure  
11 and transportation infrastructure; and

12       14. "Transportation infrastructure" shall include, but not be  
13 limited to:

- 14           a.    airports including, but not limited to, commercial and  
15                intermodal airports and heliports and all airport  
16                infrastructure,
- 17           b.    roadways including, but not limited to, publicly  
18                accessible streets, roads, highways, and bridges and  
19                all roadway infrastructure including, but not limited  
20                to, signage, toll booths, weigh stations, and traffic  
21                signals,
- 22           c.    railways including, but not limited to, all classes of  
23                freight rail and passenger rail and all railway  
24

- 1 infrastructure including, but not limited to,  
2 intermodal rail yards and signals,  
3 d. ports including, but not limited to, inland ports,  
4 seaports, deepwater ports, inland waterways, and  
5 levees and all port infrastructure including, but not  
6 limited to, intermodal stations, and  
7 e. public transit including bus, ferry, cable car, tram,  
8 trolley, and other types of publicly accessible  
9 transportation and all public transit infrastructure.

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

13 A. A foreign principal from a foreign country may not directly  
14 or indirectly own, have an interest of greater than twenty-five  
15 percent (25%) in, or acquire by purchase, grant, devise, or descent  
16 agricultural land or any interest, except a de minimis indirect  
17 interest, in such land in this state. A foreign principal has a de  
18 minimis indirect interest if any ownership is the result of the  
19 foreign principal's ownership of registered equities in a publicly  
20 traded company owning the land and if the ownership of the foreign  
21 principal in the country is either:

22 1. Less than five percent (5%) of any class of registered  
23 equities or less than five percent (5%) in the aggregate in multiple  
24 classes of registered equities; or



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

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

11        C. A foreign principal that directly or indirectly owns or  
12 acquires agricultural land or any interest in such land in this  
13 state shall register with the Oklahoma Department of Agriculture,  
14 Food, and Forestry within sixty (60) days of the effective date of  
15 this act or the date of acquisition, whichever is latest. The  
16 Department shall establish a form for such registration which, at  
17 minimum, shall include all of the following:

18        1. The name of the owner of the agricultural land or the owner  
19 of the interest in such land;

20        2. The address of the agricultural land, the parcel  
21 identification number of the property appraiser, and the legal  
22 description of the property; and

23        3. The number of acres of the agricultural land.  
24  
25

1 D. Notwithstanding the provisions of subsection A of this  
2 section, a foreign principal from a foreign country may acquire  
3 agricultural land on or after the effective date of this act by  
4 devise or descent, through the enforcement of security interests, or  
5 through the collection of debts, provided that the foreign principal  
6 sells, transfers, or otherwise divests itself of the agricultural  
7 land within one hundred eighty (180) days of acquiring the  
8 agricultural land.

9 E. Any current deeds, contracts, rental agreements, or other  
10 legal agreements in conflict with the provisions of this act shall  
11 be deemed invalid from the date of adoption unless otherwise  
12 provided.

13 F. The responsibility for determining whether an entity is  
14 subject to the provisions of this section rests solely with the  
15 foreign entity, the Attorney General, any qualifying whistleblower,  
16 and no other individual or entity. An individual or entity who is  
17 not a foreign entity shall not be required to determine or inquire  
18 whether another person or entity is or may be subject to this  
19 section, and shall bear no civil or criminal liability under the  
20 provisions of this section.

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

1 H. 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 I. 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 this section after payments to lienholders. Proceeds  
9 of the sale shall be disbursed in the following order, as  
10 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 court, to the  
15 Office of the Attorney General for reimbursement of investigation  
16 and 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 J. The Oklahoma Department of Agriculture, Food, and Forestry  
23 shall adopt rules to implement the provisions of this section.  
24  
25

1           SECTION 4.           NEW LAW           A new section of law to be codified

2 in the Oklahoma Statutes as Section 128.3 of Title 60, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. A foreign principal from a foreign country shall not be  
5 allowed to directly or indirectly purchase, hold, rent, or otherwise  
6 control any real property within ten (10) miles of a military base  
7 or installation.

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

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

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

21           E. If the real property is held in violation of the provisions  
22 of this section, the district court shall order that the real  
23 property be sold through judicial foreclosure.  
24  
25

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

8 1. The payment of authorized costs of the sale, including all  
9 approved fees and expenses of the referee and any taxes and  
10 assessments due;

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

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

17 4. To whistleblowers; and

18 5. To the restricted foreign entity.

19 G. The responsibility for determining whether an entity is  
20 subject to this section rests solely with the foreign entity, the  
21 Attorney General, any qualifying whistleblower, and no other  
22 individual or entity. An individual or entity who is not a foreign  
23 entity shall not be required to determine or inquire whether another  
24 person or entity is or may be subject to the provisions of this

1 section, and shall bear no civil or criminal liability under the  
2 provisions of this section.

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

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

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

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

16 SECTION 6. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 13001 of Title 74, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. An entity constructing, repairing, operating, or otherwise  
20 having significant access to critical infrastructure may not enter  
21 into an agreement relating to critical infrastructure in this state  
22 with a foreign principal from a foreign country, or use products or  
23 services produced by a foreign principal from a foreign country.  
24

1 B. A governmental entity may not enter into a contract or other  
2 agreement relating to critical infrastructure in this state with a  
3 company that is a foreign principal from a foreign country, or use  
4 products or services produced by a foreign principal from a foreign  
5 country.

6 C. Notwithstanding the provisions of subsection A and B of this  
7 section, an entity or governmental entity may enter into a contract  
8 or agreement relating to critical infrastructure with a foreign  
9 principal from a foreign country or use products or services  
10 produced by a foreign principal from a foreign country if:

11 1. There is no other reasonable option for addressing the need  
12 relevant to state critical infrastructure;

13 2. The contract is preapproved by the Office of the Attorney  
14 General; and

15 3. Not entering into such a contract or agreement would pose a  
16 greater threat to the state than the threat associated with entering  
17 into the contract.

18 SECTION 7. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 13002 of Title 74, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. In order to access critical infrastructure, a company must  
22 file a certification form with and pay a certification fee to the  
23 Office of the Attorney General. The Office of the Attorney General  
24

1 shall prescribe the registration form to be filed pursuant to the  
2 provisions of this section.

3 B. To maintain registration as a company with access to  
4 critical infrastructure, a company shall:

5 1. Identify all employee positions in the organization that  
6 have access to critical infrastructure;

7 2. Before hiring a person for a position described in paragraph  
8 1 of this subsection, obtain from the Oklahoma State Bureau of  
9 Investigation or a private vendor criminal history record  
10 information relating to the prospective employee and any other  
11 background information considered necessary by the company or  
12 required by the Office of the Attorney General to protect critical  
13 infrastructure from foreign country infiltration or interference;

14 3. Prohibit foreign nationals from a foreign country from  
15 access to critical infrastructure; and

16 4. Be compliant with the provisions of Section 6 of this act.

17 C. The Office of the Attorney General shall set the fee in an  
18 amount sufficient to cover the costs of administering the  
19 certification process but not to exceed One Hundred Fifty Dollars  
20 (\$150.00).

21 D. The Office of the Attorney General shall provide that a  
22 company is compliant with all requirements of this section or revoke  
23 certification.



1           SECTION 8.           NEW LAW           A new section of law to be codified

2 in the Oklahoma Statutes as Section 13003 of Title 74, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. All software used in state infrastructure located within or  
5 serving Oklahoma shall not include any software produced by a  
6 federally banned corporation, nor any software banned at the federal  
7 level.

8           B. All software used in state infrastructure located within or  
9 serving Oklahoma shall not include any software produced in or by a  
10 foreign country, a state-owned enterprise of a foreign country, or a  
11 company domiciled within a foreign country.

12           C. All software used in state infrastructure in operation  
13 within or serving Oklahoma, to include any state infrastructure  
14 which is not permanently disabled, shall have all software  
15 prohibited by subsection A or B of this section removed and replaced  
16 with software which is not prohibited by subsection A or B of this  
17 section.

18           D. Any state infrastructure provider that removes,  
19 discontinues, or replaces any prohibited software shall not be  
20 required to obtain any additional permits from any state agency or  
21 political subdivision for the removal, discontinuance, or  
22 replacement of such software as long as the state agency or  
23 political subdivision is properly notified of the necessary  
24

1 replacements and the replacement software is similar to the existing  
2 software.

3 SECTION 9. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 13004 of Title 74, unless there  
5 is created a duplication in numbering, reads as follows:

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

12 B. The Office of the Attorney General may submit a memorandum  
13 or report concerning non-notified transactions the Attorney General  
14 has identified in Oklahoma to the Committee on Foreign Investment in  
15 the United States.

16 C. The Office of the Attorney General shall:

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

21 2. Notify the Legislature and the Governor as soon as  
22 practicable after submitting a memorandum, report, or other  
23 information pursuant to the provisions of subsection B of this  
24 section.

SECTION 10. This act shall become effective November 1, 2026.

60-2-2765 BLB 1/15/2026 9:15:07 AM