

**SENATE, No. 3666**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED FEBRUARY 28, 2023

**Sponsored by:**  
**Senator DOUGLAS J. STEINHARDT**  
**District 23 (Hunterdon, Somerset and Warren)**

**SYNOPSIS**

Prohibits ownership of certain protected land adjacent to military facilities in State by certain foreign governments and persons.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the ownership of certain protected land  
2 adjacent to military facilities in the State and supplementing  
3 chapter 3 of Title 46 of the Revised Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. As used in P.L. , c. (C. ) (pending before the  
9 Legislature as this bill):

10 "Foreign government" means any government other than the  
11 government of the United States or of its states, territories,  
12 possessions, or any political subdivision thereof that is subject, or  
13 military companies of which are subject, to official sanctions of the  
14 government of the United States. "Foreign government" includes  
15 an agent, trustee, or fiduciary thereof, acting for a foreign  
16 government.

17 "Foreign person" means any individual who is not a citizen of  
18 the United States, is not an alien friend as provided in R.S.46:3-18,  
19 and is a nonresident alien of the United States or one of its states,  
20 territories, or possessions; any corporation, partnership, association,  
21 or other legal entity created under the laws of a foreign government;  
22 or any corporation, partnership, association, or other legal entity,  
23 created under the laws of the United States or any of its political  
24 subdivisions, the majority of the ownership of which is directly or  
25 indirectly held, legally or beneficially, by one or more foreign  
26 governments, by one or more foreign persons, by one or more legal  
27 entities created under the laws of a foreign government, or by any  
28 combination thereof. "Foreign person" includes an agent, trustee,  
29 or fiduciary thereof, acting for a foreign person.

30 "Military facility" means any facility located within the State  
31 that is owned or operated by the federal government, and which is  
32 used for the purposes of providing logistical, technical, material,  
33 training, or any other support to any branch of the United States  
34 military.

35 "Protected land" means any parcel of land for which any portion  
36 of the parcel is located within 1,000 feet of a military facility.

37  
38 2. a. Notwithstanding any law, rule, or regulation to the  
39 contrary, no foreign government or foreign person shall acquire,  
40 purchase, or otherwise obtain a legal, beneficial, or other interest in  
41 any protected land in the State on or after the effective date of  
42 P.L. , c. (C. ) (pending before the Legislature as this bill).

43 b. Any foreign government or foreign person owning or holding  
44 an interest in protected land in the State upon the effective date of  
45 P.L. , c. (C. ) (pending before the Legislature as this bill)  
46 may continue to own or hold an interest in protected land for a  
47 maximum of five years after the effective date of  
48 P.L. , c. (C. ) (pending before the Legislature as this bill),

1 and shall not acquire, purchase, or otherwise obtain an interest in,  
2 any other protected land, in the State, on or after the effective date  
3 of P.L. , c. (C. ) (pending before the Legislature as this  
4 bill), except:

5 (1) pursuant to a process of law involving the collection of debt  
6 the execution of a deed in lieu of foreclosure, the forfeiture of a  
7 contract for deed, or the imposition of a lien or claim on the land,  
8 whether created by a mortgage or otherwise, in which case, the  
9 provisions of subsection d. of this section shall apply; or

10 (2) by devise or descent, or through the establishment of a bona  
11 fide encumbrance on protected land taken for the purposes of  
12 security, in which case, the provisions of subsection f. of this  
13 section shall apply.

14 c. A foreign government or foreign person owning or holding an  
15 interest in protected land in the State upon the effective date of  
16 P.L. , c. (C. ) (pending before the Legislature as this bill)  
17 shall sell or otherwise convey the ownership of, or interest in, the  
18 protected land within five years after the effective date of P.L. , c.  
19 (C. ) (pending before the Legislature as this bill). The land or  
20 interest therein shall be sold or conveyed to an individual, trust,  
21 corporation, partnership, or other business entity that is not a  
22 foreign government or foreign person subject to the provisions of  
23 P.L. , c. (C. ) (pending before the Legislature as this bill).

24 d. (1) Protected land that is acquired by a foreign government  
25 or foreign person, on or after the effective date of  
26 P.L. , c. (C. ) (pending before the Legislature as this bill),  
27 pursuant to the exception established in paragraph (1) of subsection  
28 b. of this section, shall be sold or conveyed, by the foreign owner  
29 thereof, within two years after title to the land is transferred thereto.

30 (2) Land sold or conveyed in accordance with this subsection  
31 shall be sold or conveyed to an individual, trust, corporation,  
32 partnership, or other business entity that is not a foreign  
33 government or foreign person subject to the provisions of P.L. , c.  
34 (C. ) (pending before the Legislature as this bill).

35 e. Any provision of this section that is inconsistent with, or in  
36 violation of, any treaty between the United States and another  
37 country shall not apply to the foreign government or a foreign  
38 person of the country that is party to such treaty.

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40 3. This act shall take effect immediately.

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43 STATEMENT

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45 This bill prohibits sanctioned foreign governments and certain  
46 foreign persons from acquiring, purchasing, or otherwise obtaining  
47 a legal, beneficial, or other interest in any protected land in the  
48 State on or after the bill's effective date, with limited exceptions, as

1 described below. Under the bill, protected land includes certain  
2 parcels of land located within 1,000 feet of a military facility.

3 The bill permits impacted foreign governments and foreign  
4 persons that already own or hold an interest in protected land in the  
5 State, on the bill's effective date, to continue to own or hold the  
6 interest in such land for a maximum of five years thereafter. Within  
7 five years after the bill's effective date, the foreign government or  
8 foreign person would be required to sell or otherwise convey the  
9 ownership of, or interest in, the protected land to an individual,  
10 trust, corporation, partnership, or other business entity.

11 The bill provides the following exceptions to the general  
12 prohibition on the continued foreign ownership of protected land:

13 1) a foreign government or foreign person may acquire protected  
14 land, on or after the bill's effective date, through a process of law  
15 involving the collection of debt, the execution of a deed in lieu of  
16 foreclosure, the forfeiture of a contract for deed, or the imposition  
17 of a lien or claim on the land, whether by mortgage or otherwise,  
18 but such person or government would then be required to sell or  
19 convey the land, within two years after the transfer of title thereto,  
20 to an individual, trust, corporation, partnership, or other business  
21 entity that is not prohibited from owning protected land; and

22 2) the provisions of the bill would not be applicable to protected  
23 land acquired by devise or descent or pursuant to a bona fide  
24 encumbrance established on protected land taken for the purposes  
25 of security.

26 Finally, the bill provides that any provision of the bill that is  
27 inconsistent with, or in violation of, any treaty between the United  
28 States and another country would not apply to any foreign  
29 government or foreign person residing in a country that is party to  
30 the treaty.