

Introduced: 5/8/75
Referred: Commerce and
Judiciary

1 IN THE HOUSE

BY URION AND COTTEN

2 HOUSE BILL NO. 491

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to ownership of land by aliens; and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 34 is amended by adding a new chapter to read:

10 CHAPTER 65. ALIEN LAND OWNERSHIP.

11 Sec. 34.65.010. ALIEN OWNERSHIP PROHIBITED. Aliens not lawfully
12 admitted for permanent residence in the state or the United States are
13 prohibited from acquiring title to or taking or holding any land, or
14 leasehold interest extending for more than 25 years, or any other greater
15 interest less than fee in any land in this state by descent, devise,
16 purchase or otherwise, except as provided in secs. 20 - 40 of this
17 chapter or by federal law or treaty. Land or interest in land conveyed
18 in violation of this section shall revert to the state. It is the duty
19 of the attorney general to enforce forfeiture of this land or other
20 interest.

21 Sec. 34.65.020. SURVIVING SPOUSES AND HEIRS OF ALIENS. A sur-
22 viving spouse or heir not lawfully admitted for permanent residence
23 who has acquired land in the state by devise or descent may hold the
24 land for a period of 25 years after the date the land is acquired and
25 no longer, and, if at the end of that time the land so acquired has
26 not been sold to a bona fide purchaser for value, the land shall revert
27 to the state.

28 Sec. 34.65.030. LAND ACQUIRED BY DEVISE OR DESCENT. An alien
29 not lawfully admitted for permanent residence may acquire title to

1 land in this state by devise or descent only, but the alien acquiring
2 title to land in this manner is required to sell and convey that real
3 property within 25 years from the date of acquiring it, and if he fails
4 to dispose of it to a bona fide purchaser for value within that time,
5 the land reverts and escheats to the state.

6 Sec. 34.65.040. CORPORATIONS. A corporation which has aliens
7 not lawfully admitted for permanent residence as executive officers or
8 managers or as members of its board of directors or board of trustees
9 in number sufficient to constitute a majority of the board or has a
10 majority of its capital stock owned by aliens not lawfully admitted for
11 permanent residence is considered to be an alien corporation and an
12 alien not lawfully admitted for permanent residence within the provi-
13 sions of sec. 10 of this chapter.

14 * Sec. 2. This Act does not apply to the ownership of land acquired
15 before the effective date of this Act by aliens not lawfully admitted for
16 permanent residence, but does apply to transfers of this land which occur
17 after the effective date of this Act.

18 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
19 070(c).