

By: Senator(s) Carter

To: Judiciary, Division A

SENATE BILL NO. 2632

1 AN ACT TO AMEND SECTION 89-1-23, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE THAT NONRESIDENT ALIENS WHO ARE CITIZENS OF A COUNTRY THAT  
 3 IS HOSTILE TO THE INTERESTS OF THE UNITED STATES OR A COUNTRY THAT  
 4 IS A KNOWN VIOLATOR OF HUMAN RIGHTS MAY NOT HOLD LAND, DISPOSE OF  
 5 LAND OR TRANSMIT LAND BY DESCENT IF THE LAND IS LOCATED WITHIN A  
 6 FIFTY (50) MILE RADIUS OF A MILITARY INSTALLATION; TO DEFINE THE  
 7 TERM "MILITARY INSTALLATION"; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 89-1-23, Mississippi Code of 1972, is  
 10 amended as follows:

11 89-1-23. (1) Resident aliens may acquire and hold land, and  
 12 may dispose of it and transmit it by descent, as citizens of the  
 13 state may. Except as otherwise provided in this section,  
 14 nonresident aliens shall not hereafter acquire or hold land, but a  
 15 nonresident alien may have or take a lien on land to secure a  
 16 debt, and at any sale thereof to enforce payment of the debt may  
 17 purchase the same, and thereafter hold it, not longer than twenty  
 18 (20) years, with full power during said time to sell the land, in  
 19 fee, to a citizen; or he may retain it by becoming a citizen  
 20 within that time. All land held or acquired contrary to this



21 section shall escheat to the state; but a title to real estate in  
22 the name of a citizen of the United States, or a person who has  
23 declared his intention of becoming a citizen, whether resident or  
24 nonresident, if he be a purchaser or holder, shall not be  
25 forfeited or escheated by reason of the alienage of any former  
26 owner or other person.

27 (2) Any person who was or is a citizen of the United States  
28 and became or becomes an alien by reason of marriage to a citizen  
29 of a foreign country, may hereafter inherit, or if he or she  
30 heretofore inherited or acquired or hereafter inherits, may hold,  
31 own, transmit by descent or transfer land free from any escheat to  
32 the State of Mississippi, if said land has not heretofore  
33 escheated by final valid order or decree of a court of competent  
34 jurisdiction.

35 (3) Nonresident aliens who are citizens of Syria or the  
36 Lebanese Republic may inherit property from citizens or residents  
37 of the State of Mississippi.

38 (4) Nonresident aliens may acquire and hold not to exceed  
39 three hundred twenty (320) acres of land in this state for the  
40 purpose of industrial development thereon. In addition, any  
41 nonresident alien may acquire and hold not to exceed five (5)  
42 acres of land for residential purposes. The nonresident alien may  
43 dispose of any such land, but if any land acquired for industrial  
44 development ceases to be used for industrial development while  
45 owned by a nonresident alien, it shall escheat to the state. The



46 limitation set forth in this paragraph shall not apply to  
47 corporations in which the stock thereof is partially or wholly  
48 owned by nonresident aliens; and title to real estate acquired by,  
49 and held in the name of, any corporation, limited partnership,  
50 general partnership, limited liability partnership, limited  
51 liability company, joint venture, joint stock company or business  
52 trust organized and existing under the laws of the State of  
53 Mississippi or of any other state or the federal laws of the  
54 United States of America for purposes of development thereon of  
55 one or more projects, as defined in Section 57-75-5(f) (xxxi),  
56 shall not be forfeited or escheated by reason of the alienage of  
57 any former owner or other person if said land has not heretofore  
58 escheated to the State of Mississippi by final valid order or  
59 decree of a court of competent jurisdiction.

60 (5) (a) Notwithstanding any other provision of law,  
61 nonresident aliens who are citizens of a country that is hostile  
62 to the interests of the United States or a country that is a known  
63 violation of human rights may not hold land, dispose of land or  
64 transmit land by descent if the land is located within a fifty  
65 (50) mile radius of a military installation.

66 (b) For the purposes of this subsection "military  
67 installation" shall mean a base, camp, post, station, yard,  
68 center, homeport facility for any ship, or other installation  
69 under the jurisdiction of either:

70 (i) The United States Department of Defense;



71                    (ii) The United States Coast Guard; or

72                    (iii) The Mississippi National Guard.

73            **SECTION 2.** This act shall take effect and be in force from  
74 and after July 1, 2023.

