

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
4 SENATE BILL NO. 893

By: Howard and Pederson of the  
Senate

5 and

6 Caldwell (Chad) of the  
7 House

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10

11 COMMITTEE SUBSTITUTE

12 An Act relating to property and critical  
infrastructure; creating the Military Installation &  
13 Military Operating Areas and Critical Infrastructure  
Protection Act of 2025; providing short title;  
14 defining terms; prohibiting foreign principals from  
foreign adversary countries from owning, having an  
15 interest in, or acquiring agricultural land;  
describing scope of de minimis indirect interest;  
16 directing the sale, transfer, or divestiture of  
agricultural land under certain circumstances;  
17 establishing registration requirements; allowing for  
the acquisition of agricultural land under certain  
18 circumstances; deeming contracts, deeds, or other  
agreements invalid; assigning the Office of the  
19 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  
21 judicial foreclosure; providing payment of a reward  
to whistleblowers; providing for the disbursement of  
proceeds; providing for the adoption of rules;  
22 prohibiting foreign principals from foreign adversary  
countries from purchasing, holding, renting, or  
controlling any property near military bases or  
23 installations; requiring the sale, transfer, or

1           divestiture of property within certain time period;  
2           deeming contracts, deeds, or other agreements  
3           invalid; granting the Attorney General the authority  
4           to commence certain actions in district court;  
5           providing for the sale of land through judicial  
6           foreclosure; providing payment of a reward to  
7           whistleblowers; providing for the disbursement of  
8           proceeds; assigning the Office of the Attorney  
9           General with the responsibility of making certain  
10          determinations; establishing guidelines for  
11          whistleblowers; providing for referrals to the Office  
12          of the Attorney General; establishing rewards for  
13          whistleblowers; setting effective date for  
14          whistleblower enforcement provision; prohibiting  
15          entities and governmental entities from entering into  
16          agreements relating to critical infrastructure with  
17          foreign principals from foreign adversary countries;  
18          authorizing entities and governmental entities to  
19          enter into agreements under certain circumstances;  
20          requiring companies to file a certification form  
21          prior to accessing critical infrastructure;  
22          establishing guidelines for maintaining  
23          registrations; setting fee for administering  
24          certification process; providing for the revocation  
              of certifications; prohibiting the use of certain  
              software in state infrastructure; providing for the  
              replacement of prohibited software; providing  
              software removal and notification requirements;  
              directing the Office of the Attorney General to  
              establish reporting process for non-notified  
              transactions; authorizing the Attorney General to  
              submit memorandums or reports to certain committee;  
              directing the Attorney General to retain certain  
              documents and notify the Legislature and Governor;  
              providing for noncodification; providing for  
              codification; and providing an effective date.

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

23          SECTION 1.        NEW LAW        A new section of law not to be

24          codified in the Oklahoma Statutes reads as follows:

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

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

7       A. As used in this act:

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

17 Permanent pasture land is land used for five (5) or more years for  
18 forage, including natural and cultivated crops;

19           2. "Company" shall mean a for-profit sole proprietorship,  
20 organization, association, corporation, partnership, joint venture,  
21 limited partnership, limited liability partnership, or limited  
22 liability company, including a wholly owned subsidiary, majority-  
23 owned subsidiary, parent company, or affiliate of those entities or

1 business associations, that exists to make a profit; or a nonprofit  
2 organization;

3       3. "Critical infrastructure" shall mean systems and assets,  
4 whether physical or virtual, so vital to Oklahoma or the United  
5 States that the incapacity or destruction of such systems and assets  
6 would have a debilitating impact on state or national security,  
7 state or national economic security, state or national public  
8 health, or any combination of those matters. A critical  
9 infrastructure may be publicly or privately owned and includes, but  
10 is not limited to:

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

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

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

4       6. "Foreign adversary" shall mean China, Russia, Iran, and  
5 North Korea;

6       7. "Foreign principal" shall mean:

7           a. the government or any official of the government of a  
8              foreign adversary,

9           b. a political party or member of a political party or  
10             any subdivision of a political party of a foreign  
11             adversary,

12           c. a partnership, association, corporation, organization,  
13             or other combination of persons organized under the  
14             laws of or having its principal place of business in a  
15             foreign adversary, or a subsidiary of such entity, or  
16             owned or controlled wholly or in part by any person,  
17             entity, or collection of persons or entities of a  
18             foreign adversary,

19           d. any person who is domiciled in a foreign adversary and  
20             is not a citizen or lawful permanent resident of the  
21             United States, or

22           e. any person, entity, or collection of persons or  
23             entities, described in subparagraphs a through d of  
24             this paragraph having a controlling interest in a

1                   partnership, association, corporation, organization,  
2                   trust, or any other legal entity or subsidiary formed  
3                   for the purpose of owning real property;

4       8. "Military base or installation" shall mean any land,  
5       Military Operating Areas structures, or property owned or controlled  
6       by any division of the United States Department of Defense, Oklahoma  
7       National Guard, or any other department of government, state or  
8       federal, critical to the safety and security of Oklahoma or the  
9       United States;

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

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

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

23      12. "State infrastructure" shall mean critical infrastructure  
24     and transportation infrastructure; and

1       13. "Transportation infrastructure" shall include, but not be  
2 limited to:

3           a. airports including, but not limited to, commercial and  
4                   intermodal airports and heliports and all airport  
5                   infrastructure,

6           b. roadways including, but not limited to, publicly  
7                   accessible streets, roads, highways, and bridges and  
8                   all roadway infrastructure including, but not limited  
9                   to, signage, toll booths, weigh stations, and traffic  
10                  signals,

11           c. railways including, but not limited to, all classes of  
12                   freight rail and passenger rail and all railway  
13                   infrastructure including, but not limited to,  
14                   intermodal rail yards and signals,

15           d. ports including, but not limited to, inland ports,  
16                   seaports, deepwater ports, inland waterways, and  
17                   levees and all port infrastructure including, but not  
18                   limited to, intermodal stations, and

19           e. public transit including bus, ferry, cable car, tram,  
20                   trolley, and other types of publicly accessible  
21                   transportation and all public transit infrastructure.

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

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 128.2 of Title 60, unless there  
3 is created a duplication in numbering, reads as follows:

4       A. A foreign principal from a foreign adversary country may not  
5 directly or indirectly own, have an interest of greater than twenty-  
6 five percent (25%) in, or acquire by purchase, grant, devise, or  
7 descent agricultural land or any interest, except a de minimis  
8 indirect interest, in such land in this state. A foreign principal  
9 has a de minimis indirect interest if any ownership is the result of  
10 the foreign principal's ownership of registered equities in a  
11 publicly traded company owning the land and if the ownership of the  
12 foreign principal in the country is either:

13           1. Less than five percent (5%) of any class of registered  
14 equities or less than five percent (5%) in the aggregate in multiple  
15 classes of registered equities; or

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

21       B. A foreign principal that directly or indirectly owns or  
22 otherwise controls agricultural land, as defined in Section 2 of  
23 this act, in this state must sell, transfer, or otherwise divest

1 itself of the agricultural land within one hundred eighty (180) days  
2 of the effective date of this act.

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

10 1. The name of the owner of the agricultural land or the owner  
11 of the interest in such land;

12 2. The address of the agricultural land, the parcel  
13 identification number of the property appraiser, and the legal  
14 description of the property; and

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

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

1       E. Any current deeds, contracts, rental agreements, or other  
2 legal agreements in conflict with the provisions of this act shall  
3 be deemed invalid from the date of adoption unless otherwise  
4 provided.

5       F. The responsibility for determining whether an entity is  
6 subject to the provisions of this section rests solely with the  
7 foreign entity, the Attorney General, any qualifying whistleblower,  
8 and no other individual or entity. An individual or entity who is  
9 not a foreign entity shall not be required to determine or inquire  
10 whether another person or entity is or may be subject to this  
11 section, and shall bear no civil or criminal liability under the  
12 provisions of this section.

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

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

20       I. If a whistleblower referral results in a divestiture of land  
21 or other assets held in violation of the provisions of this section,  
22 the whistleblower shall be entitled to a reward equal to thirty  
23 percent (30%) of the proceeds of the land sale that results from the  
24 violation of this section after payments to lienholders. Proceeds

1 of the sale shall be disbursed in the following order, as  
2 applicable:

3       1. The payment of authorized costs of the sale, including all  
4 approved fees and expenses of the referee and any taxes and  
5 assessments due;

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

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

12       4. To whistleblowers; and

13       5. To the restricted foreign entity.

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

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

21       1. Agricultural research and development; or

22       2. Experimental purposes, including testing, development, or  
23 production of any crop production inputs for sale or resale to  
24 farmers, including but not limited to:

- 1           a. seeds,  
2           b. plants,  
3           c. pesticides,  
4           d. soil amendments,  
5           e. biologicals, or  
6           f. fertilizers.

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

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

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

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

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

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

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

15       1. The payment of authorized costs of the sale, including all  
16 approved fees and expenses of the referee and any taxes and  
17 assessments due;

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

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

24       4. To whistleblowers; and

1           5. To the restricted foreign entity.

2           G. The responsibility for determining whether an entity is  
3 subject to this section rests solely with the foreign entity, the  
4 Attorney General, any qualifying whistleblower, and no other  
5 individual or entity. An individual or entity who is not a foreign  
6 entity shall not be required to determine or inquire whether another  
7 person or entity is or may be subject to the provisions of this  
8 section, and shall bear no civil or criminal liability under the  
9 provisions of this section.

10          SECTION 5.        NEW LAW        A new section of law to be codified

11         in the Oklahoma Statutes as Section 128.4 of Title 60, unless there  
12 is created a duplication in numbering, reads as follows:

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

16           B. If a whistleblower referral results in a divestiture of land  
17 or other assets held in violation of the provisions of this act, the  
18 whistleblower shall be entitled to a reward equal to thirty percent  
19 (30%) of the proceeds of the land sale that results from violation  
20 of this act.

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

1 SECTION 6. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 13001 of Title 74, unless there  
3 is created a duplication in numbering, reads as follows:

4       A. An entity constructing, repairing, operating, or otherwise  
5 having significant access to critical infrastructure may not enter  
6 into an agreement relating to critical infrastructure in this state  
7 with a foreign principal from a foreign adversary country, or use  
8 products or services produced by a foreign principal from a foreign  
9 adversary country.

10     B. A governmental entity may not enter into a contract or other  
11 agreement relating to critical infrastructure in this state with a  
12 company that is a foreign principal from a foreign adversary  
13 country, or use products or services produced by a foreign principal  
14 from a foreign adversary country.

15     C. Notwithstanding the provisions of subsection A and B of this  
16 section, an entity or governmental entity may enter into a contract  
17 or agreement relating to critical infrastructure with a foreign  
18 principal from a foreign adversary country or use products or  
19 services produced by a foreign principal from a foreign adversary  
20 country if:

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

23       2. The contract is preapproved by the Office of the Attorney  
24 General; and

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

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

7       A. In order to access critical infrastructure, a company must  
8 file a certification form with and pay a certification fee to the  
9 Office of the Attorney General. The Office of the Attorney General  
10 shall prescribe the registration form to be filed pursuant to the  
11 provisions of this section.

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

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

16       2. Before hiring a person described in paragraph 1 of this  
17 subsection, obtain from the Oklahoma State Bureau of Investigation  
18 or a private vendor criminal history record information relating to  
19 the prospective employee and any other background information  
20 considered necessary by the company or required by the Office of the  
21 Attorney General to protect critical infrastructure from foreign  
22 adversary infiltration or interference;

23       3. Prohibit foreign nationals from a foreign adversary from  
24 access to critical infrastructure; and

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

2           C. The Office of the Attorney General shall set the fee in an  
3 amount sufficient to cover the costs of administering the  
4 certification process but not to exceed One Hundred Fifty Dollars  
5 (\$150.00).

6           D. The Office of the Attorney General shall provide that a  
7 company is compliant with all requirements of this section or revoke  
8 certification.

9           SECTION 8.        NEW LAW        A new section of law to be codified  
10 in the Oklahoma Statutes as Section 13003 of Title 74, unless there  
11 is created a duplication in numbering, reads as follows:

12          A. All software used in state infrastructure located within or  
13 serving Oklahoma shall not include any software produced by a  
14 federally banned corporation, nor any software banned at the federal  
15 level.

16          B. All software used in state infrastructure located within or  
17 serving Oklahoma shall not include any software produced in or by a  
18 foreign adversary, a state-owned enterprise of a foreign adversary,  
19 or a company domiciled within a foreign adversary.

20          C. All software used in state infrastructure in operation  
21 within or serving Oklahoma, to include any state infrastructure  
22 which is not permanently disabled, shall have all software  
23 prohibited by subsection A or B of this section removed and replaced

1 with software which is not prohibited by subsection A or B of this  
2 section.

3       D. Any state infrastructure provider that removes,  
4 discontinues, or replaces any prohibited software shall not be  
5 required to obtain any additional permits from any state agency or  
6 political subdivision for the removal, discontinuance, or  
7 replacement of such software as long as the state agency or  
8 political subdivision is properly notified of the necessary  
9 replacements and the replacement software is similar to the existing  
10 software.

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

14       A. The Office of the Attorney General shall establish a process  
15 by which local officials, states officials, or other persons may  
16 submit information or concerns to the Office regarding non-notified  
17 transactions in Oklahoma. The Office of the Attorney General may  
18 adopt any necessary rules to implement the provisions of this  
19 subsection.

20       B. The Office of the Attorney General may submit a memorandum  
21 or report concerning non-notified transactions the Attorney General  
22 has identified in Oklahoma to the Committee on Foreign Investment in  
23 the United States.

24       C. The Office of the Attorney General shall:

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

5       2. Notify the Legislature and the Governor as soon as  
6 practicable after submitting a memorandum, report, or other  
7 information pursuant to the provisions of subsection B of this  
8 section.

9 SECTION 10. This act shall become effective November 1, 2025.

10                  60-1-13546       TKR       04/16/25

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