



Adopted	Rejected
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COMMITTEE REPORT

YES: 12
NO: 0

MR. SPEAKER:

*Your Committee on Judiciary, to which was referred House Bill 1099, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between lines 5 and 6, begin a new paragraph and insert:
- 2 **"Sec. 1. As used in this chapter, "agent of a foreign adversary"**
- 3 **means a person:**
- 4 **(1) who either:**
- 5 **(A) is an agent, representative, employee, or servant; or**
- 6 **(B) acts in any capacity at the order, request, or under the**
- 7 **direction or control;**
- 8 **of the government of a foreign adversary; and**
- 9 **(2) whose activities are directly or indirectly financed in whole**
- 10 **or in part by the government of a foreign adversary."**
- 11 Page 1, line 6, delete "1." and insert "2."
- 12 Page 1, line 11, delete "2." and insert "3."
- 13 Page 2, line 4, delete "3." and insert "4."
- 14 Page 2, line 13, delete "4." and insert "5."

1 Page 2, line 34, delete "5." and insert "6."
2 Page 2, line 39, delete "6." and insert "7."
3 Page 3, delete lines 1 through 10, begin a new paragraph and insert:
4 **"Sec. 8. (a) This section applies to:**
5 **(1) a new contract entered into after June 30, 2026; and**
6 **(2) an existing contract amended or renewed after June 30,**
7 **2027;**
8 **by a qualified entity for the provision of a technological product or**
9 **service.**
10 **(b) A contract to which this section applies must contain:**
11 **(1) a provision requiring the contractor to confirm under the**
12 **penalties of perjury that the contractor and any**
13 **subcontractors working under the contractor for the contract**
14 **are not prohibited persons; or**
15 **(2) if the contractor or a subcontractor working under the**
16 **contractor for the contract is a prohibited person, a provision**
17 **requiring the contractor to confirm that the contractor and**
18 **any subcontractors working on the contract are not acting as**
19 **agents of a foreign adversary.**
20 **(c) A breach of the provision under subsection (b) may be**
21 **regarded as a material breach of the contract."**
22 Page 3, delete lines 11 through 42, begin a new paragraph and
23 insert:
24 "SECTION 2. IC 21-49-7 IS ADDED TO THE INDIANA CODE
25 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
26 UPON PASSAGE]:
27 **Chapter 7. Admission and Enrollment of Certain Foreign**
28 **Students in Qualifying Programs**
29 **Sec. 1. This chapter does not apply to a foreign student who is**
30 **admitted to or enrolled in a qualifying program at a state**
31 **educational institution as of August 14, 2026.**
32 **Sec. 2. As used in this chapter, "agent of a foreign adversary"**
33 **means a person:**
34 **(1) who either:**
35 **(A) is an agent, representative, employee, or servant; or**
36 **(B) acts in any capacity at the order, request, or under the**
37 **direction or control;**
38 **of the government of a foreign adversary; and**

(2) whose activities are directly or indirectly financed in whole or in part by the government of a foreign adversary.

Sec. 3. As used in this chapter, "foreign adversary" includes the following:

- (1) The People's Republic of China.**
- (2) Iran.**
- (3) North Korea.**
- (4) Russia.**
- (5) A foreign government listed in 15 CFR 791.4.**

(6) A country designated as a threat to critical infrastructure by the governor under IC 1-1-16-8.

Sec. 4. As used in this chapter, "foreign student" means an individual who is:

(1) a citizen of a foreign adversary; and

(2) not a United States citizen or an alien who is admitted into the United States for lawful, permanent residence or has been granted asylum in the United States.

Sec. 5. As used in this chapter, "qualifying program" refers to one (1) of the following fields of study at the undergraduate, graduate, doctoral, or postdoctoral level:

- (1) Chemical engineering.
- (2) Electrical engineering.
- (3) Industrial engineering.
- (4) Mechanical engineering.
- (5) Artificial intelligence.
- (6) Computer science.
- (7) Microbiology.
- (8) Virology.
- (9) A field of study designated by the commissioner for higher education under section 10 of this chapter.

Sec. 6. As used in this chapter, "state educational institution" has the definition set forth in IC 21-7-13-32.

Sec. 7. (a) Beginning August 15, 2026, a state educational institution may not admit a foreign student into a qualifying program until the state educational institution has completed a foreign influence and research security review for the foreign student.

(b) A foreign influence and research security review required

1 under subsection (a) must include, at a minimum, a review of the
2 following information concerning the foreign student:

3 (1) All current and past affiliations, paid or unpaid, including
4 academic, research, government, and commercial affiliations.

5 (2) All outside support related to the foreign student's
6 education, training, or research activities, including foreign
7 funding sources such as tuition aid, travel aid, complimentary
8 travel, scholarships, or stipends.

9 (3) Any agreements, including intellectual property
10 agreements, employment agreements, consulting agreements,
11 or other obligations that relate to the foreign student's
12 research, education, or training.

13 (4) Any planned external collaboration, supervision, or
14 research reporting relationship or requirement with a person
15 outside of the state educational institution.

16 (5) Whether the foreign student or the foreign student's
17 parent, sibling, spouse, grandparent, aunt, or uncle, including
18 those related by blood or marriage, are any of the following:

19 (A) An employee of the government of a foreign adversary.
20 (B) A member of a political party of a foreign adversary.
21 (C) A member of a united front organization or a similar
22 association or organization that is sponsored or supported
23 by the government of a foreign adversary and exists to
24 encourage support of the government of the foreign
25 adversary.

26 (6) Whether the foreign student was previously employed by
27 the government of a foreign adversary or served in the
28 military or security services for the government of a foreign
29 adversary.

30 (7) Whether the foreign student has any ties to a malign
31 foreign talent recruitment program or another foreign talent
32 recruitment program sponsored by, affiliated with, or based
33 in a foreign adversary that requires the foreign student to
34 engage in activities that violate the foreign student's
35 obligations to the state of Indiana, the United States, or to the
36 state educational institution.

37 (c) If a state educational institution obtains information while
38 conducting a foreign influence and security review on a foreign

1 student that indicates the foreign student is an agent of a foreign
2 adversary, the state educational institution may not enroll the
3 foreign student.

4 (d) A state educational institution may not admit a foreign
5 student who refuses or fails to provide the state educational
6 institution with any information necessary to complete a foreign
7 influence and research security review under this section.

8 Sec. 8. (a) A foreign student who is admitted into a state
9 educational institution after a foreign influence and research
10 security review is completed under section 7 of this chapter must
11 sign an attestation stating that the foreign student has not accepted
12 and will not accept any direct or indirect financial support or
13 funding from a foreign adversary before the state educational
14 institution may enroll the foreign student in the qualifying
15 program.

16 (b) If a state educational institution obtains information that a
17 foreign student has accepted direct or indirect financial support or
18 funding from a foreign adversary, the state educational institution
19 must immediately unenroll the foreign student.

20 Sec. 9. A foreign student who is enrolled in a qualifying program
21 at a state educational institution must immediately disclose the
22 following to the state educational institution:

23 (1) Any changes to the information regarding the foreign
24 student provided in section 7(b)(5), 7(b)(6), and 7(b)(7) of this
25 chapter.

26 (2) Any contact with an agent of a foreign adversary.

27 Sec. 10. (a) Subject to subsection (b), the commissioner for
28 higher education may designate a field of study as a qualifying
29 program.

30 (b) The commissioner for higher education must provide the
31 board of trustees of each state educational institution with notice
32 of the designation of a field of study as a qualifying program under
33 subsection (a) not later than six (6) months prior to the start of the
34 next academic term.".

35 Page 4, delete lines 1 through 21.

36 Page 4, delete lines 25 through 42, begin a new paragraph and
37 insert:

38 "SECTION 4. IC 32-22-3.5 IS ADDED TO THE INDIANA CODE

1 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2026]:

3 **Chapter 3.5. Prohibition on Ownership of Land by Certain
4 Foreign Owned Companies and Foreign Individuals**

5 **Sec. 1. (a) As used in this chapter, "acting as an agent of a
6 foreign adversary" means to knowingly engage in conduct at the
7 direction of or under the control of a foreign adversary that
8 materially advances the foreign adversary's strategic, intelligence,
9 or military objectives.**

10 **(b) The term does not include the ownership or operation of a
11 business entity that engages solely in ordinary commercial
12 activities for profit and that is not subject to the direction, control,
13 or material influence of the foreign adversary with respect to the
14 conduct at issue.**

15 **Sec. 2. As used in this chapter, "agent of a foreign adversary"**
16 **means a person:**

17 **(1) who either:**

18 **(A) is an agent, representative, employee, or servant; or**
19 **(B) acts in any capacity at the order, request, or under the
20 direction or control;**
21 **of the government of a foreign adversary; and**
22 **(2) whose activities are directly or indirectly financed in whole
23 or in part by the government of a foreign adversary.**

24 **Sec. 3. As used in this chapter, "business entity" means:**

25 **(1) a corporation, professional corporation, nonprofit
26 corporation, limited liability company, partnership, or limited
27 partnership; or**
28 **(2) the equivalent of any entity described in subdivision (1).**

29 **Sec. 4. As used in this chapter, "controlling person" means:**

30 **(1) a beneficial owner (as defined in IC 23-1-20-3.5) of at least
31 fifty-one percent (51%) of the shares of a business entity;**
32 **(2) an officer, director, or other individual who possesses
33 inside information about a business entity because of the
34 officer, director, or other individual's relationship with the
35 business entity; or**
36 **(3) a person, individually or as a member of a group, who has
37 the ability to directly or indirectly affect a business entity's
38 management or policies.**

1 **Sec. 5. As used in this chapter, "foreign adversary" includes the**
2 **following:**

3 **(1) The People's Republic of China.**
4 **(2) Iran.**
5 **(3) North Korea.**
6 **(4) Russia.**
7 **(5) A foreign government listed in 15 CFR 791.4.**
8 **(6) A country designated as a threat to critical infrastructure**
9 **by the governor under IC 1-1-16-8.**

10 **Sec. 6. (a) As used in this chapter, "prohibited person" includes**
11 **the following:**

12 **(1) An individual who is a citizen of a foreign adversary.**
13 **(2) An individual who is domiciled in a foreign adversary.**
14 **(3) A business entity organized under the laws of a foreign**
15 **adversary.**
16 **(4) A business entity headquartered in a foreign adversary.**
17 **(5) A business entity with a controlling person that is one (1)**
18 **of the following:**
19 **(A) An individual who is a citizen of a foreign adversary.**
20 **(B) An individual who is domiciled in a foreign adversary.**
21 **(C) A business entity or other entity, including a**
22 **governmental entity, that is owned or controlled by an**
23 **individual described in subdivision (1) or (2), or is directly**
24 **controlled by the government of a foreign adversary.**

25 **The term, as used in subdivisions (1), (2), (5)(A), and (5)(B), does**
26 **not include an individual who holds dual citizenship with a foreign**
27 **adversary and the United States, an individual who is a citizen or**
28 **lawful permanent resident of the United States, or an individual**
29 **who has been granted asylum in the United States.**

30 **(b) The term includes an agent, trustee, or fiduciary acting on**
31 **behalf of a prohibited person.**

32 **Sec. 7. After June 30, 2026, a prohibited person may not do any**
33 **of the following:**

34 **(1) Acquire by grant, purchase, devise, descent, or otherwise**
35 **any real property located in Indiana.**
36 **(2) Acquire by grant, purchase, devise, descent, or otherwise**
37 **any mineral right or water or riparian right on any real**
38 **property located in Indiana.**

(3) Enter into a new lease agreement as a lessee for any real property located in Indiana. This subdivision does not apply to a lease agreement to which the following apply:

(A) The real property that is the subject of the lease agreement will be used only for residential purposes.

(B) The lease agreement is for a term of not more than twenty-four (24) months.

(4) Enter into a new lease agreement for any mineral right or riparian right on any real property located in Indiana.

Sec. 8. (a) This section applies to a prohibited person that owns an interest in real property located in Indiana on July 1, 2026.

(b) A prohibited person that owns an interest in real property located in Indiana on July 1, 2026, shall not act as an agent of a foreign adversary.

(c) The attorney general may bring an action under section 9 of this chapter to require divestiture of a prohibited person's real property interest only if the attorney general establishes, by clear and convincing evidence, that the prohibited person is acting as an agent of a foreign adversary.

(d) If the attorney general makes a prima facie showing under subsection (c), the burden of proof shifts to the prohibited person to demonstrate, by a preponderance of the evidence, that the ownership or control of the real property does not present a risk of the prohibited person acting as an agent of a foreign adversary.

(e) A court may not order divestiture under section 9 of this chapter unless the court enters written findings of fact and conclusions of law establishing that the attorney general has satisfied the burden required under subsection (c) and that divestiture is permitted under this section.

Sec. 9. (a) Upon receipt of information that leads the attorney general to believe a prohibited person has violated section 7 or 8 of this chapter, the attorney general shall investigate the alleged violation and may issue subpoenas requiring the:

(1) appearance of witnesses;

(2) production of relevant records; and

(3) giving of relevant testimony.

(b) The attorney general shall enforce a violation of section 7 or 8 of this chapter by commencing a receivership proceeding under

1 **IC 32-30-5-1 and selling the real property or the interest in real**
2 **property through the receivership. The following apply to a**
3 **receivership proceeding under this section:**

4 **(1) Proceeds of the sale shall be paid as follows:**

5 **(A) To lienholders, in their order of priority, except for**
6 **liens which under the terms of the sale are to remain on the**
7 **property.**

8 **(B) The costs of the receivership and sale, including**
9 **reasonable attorney's fees and expert fees.**

10 **(C) No proceeds shall be distributed from the receivership**
11 **sale to the prohibited person. Any excess proceeds are**
12 **forfeited and shall be transferred to the state general fund**
13 **by the receiver.**

14 **(2) If a receivership proceeding is initiated under this section,**
15 **the prohibited person is personally liable for a civil penalty in**
16 **the amount of ten percent (10%) of the market value of the**
17 **real property, payable to the state general fund.**

18 **(3) At the receivership sale, lienholders shall be able to have**
19 **a credit bid in an amount that is not more than the amount**
20 **owed to the lienholder on the date of the sale, as established in**
21 **the court order for the sale of the property.**

22 **(4) Upon commencement of an action under this section, the**
23 **attorney general shall promptly file a notice of lis pendens**
24 **with the clerk of court. Upon the entry of an order for the sale**
25 **of the real property under this section, the attorney general**
26 **shall promptly record a copy of the order in the office of the**
27 **recorder of the county where the property is located.**

28 **(c) Notwithstanding section 10 of this chapter, the responsibility**
29 **for determining whether an individual or other entity is subject to**
30 **section 7 or 8 of this chapter rests solely with the prohibited person**
31 **and the attorney general and no other individual or entity. An**
32 **individual or other entity who is not a prohibited person shall bear**
33 **no civil or criminal liability for failing to determine or make**
34 **inquiry of whether an individual or other entity is a prohibited**
35 **person.**

36 **(d) Except for an interest created after the effective date of the**
37 **lis pendens notice filed under subsection (b)(4), divestiture of a**
38 **prohibited person's title under this section shall not be a basis to**

1 **void, invalidate, or otherwise extinguish any bona fide mortgage,**
2 **lien, or other interest granted by, through, or under the prohibited**
3 **person. An interest created after the effective date of the lis**
4 **pendens notice filed under subsection (b)(4) is void upon entry of**
5 **an order for the sale of the real property under this section.**

6 **Sec. 10. (a) As used in this section, "reporting person" means a**
7 **person in the business of providing real estate closing and**
8 **settlement services in Indiana that is:**

- 9 **(1) listed as the closing or settlement agent on the closing or**
10 **settlement statement for a real estate transfer;**
- 11 **(2) if no person described in subdivision (1) is involved in a**
12 **transfer of real property, the person that prepares the closing**
13 **or settlement statement for the transfer;**
- 14 **(3) if no person described in subdivisions (1) or (2) is involved**
15 **in a transfer of real property, the person that files with the**
16 **recorder's office the deed or other instrument that transfers**
17 **ownership of the real property;**
- 18 **(4) if no person described in subdivisions (1) through (3) is**
19 **involved in a transfer of real property, the person that**
20 **underwrites an owner's title insurance policy for the**
21 **transferee with respect to the transferred real property, such**
22 **as a title insurance company;**
- 23 **(5) if no person described in subdivisions (1) through (4) is**
24 **involved in a transfer of real property, the person that**
25 **disburses in any form, including from an escrow account or**
26 **trust account, the greatest amount of funds in connection with**
27 **the transfer of the real property;**
- 28 **(6) if no person described in subdivisions (1) through (5) is**
29 **involved in a transfer of real property, the person that**
30 **provides an evaluation of the status of the title; or**
- 31 **(7) if no person described in subdivisions (1) through (6) is**
32 **involved in a transfer of real property, then the person that**
33 **prepares the deed or, if no deed is involved, any other legal**
34 **instrument that transfers ownership of the real property.**

35 **If the reporting person is an employee, agent, or partner acting**
36 **within the scope of the individual's employment, agency, or**
37 **partnership, the individual's employer, principal, or partnership**
38 **is the reporting person.**

1 **(b) If a reporting person participates in a transfer of real
2 property that violates this chapter, the reporting person shall file
3 a report with the attorney general in the form and manner
4 prescribed by the attorney general.**

5 **(c) Upon receipt of information that leads the attorney general
6 to believe that a reporting person failed to file a report as required
7 under this section or intentionally provided inaccurate information
8 in a report filed under this section, the attorney general may
9 investigate the alleged violation and issue subpoenas requiring the:**

10 **(1) appearance of witnesses;
11 (2) production of relevant records; and
12 (3) giving of relevant testimony.**

13 **(d) If a reporting person knowingly or intentionally fails to
14 comply with subsection (b), the attorney general may impose a civil
15 penalty of ten thousand dollars (\$10,000) per violation. A civil
16 penalty collected under this section shall be deposited in the state
17 general fund.".**

18 Delete pages 5 through 7.

19 Page 8, delete lines 1 through 24.

20 Page 8, line 33, delete "IC 32-22-3.5-7" and insert "**IC 32-22-3.5-9**".

21 Renumber all SECTIONS consecutively.

(Reference is to HB 1099 as introduced.)

and when so amended that said bill do pass.

Representative Jeter