



The National Agricultural Law Center

nationalaglawcenter.org | nataglaw@uark.edu | [@nataglaw](https://twitter.com/nataglaw)

Farm Ownership & Corporate Farming Laws:

Nebraska



This material is based upon work supported by the National Agricultural Library, Agricultural Research Service, U.S. Department of Agriculture

A National Agricultural Law Center Research Publication

Farm Ownership & Corporate Farming Laws: Nebraska

Fast Find:

- 1) Prohibition: NE Rev. Stat. §§ 4-107; 30-2312; 76-3701 to 76-3717
- 2) Permission: None
- 3) Reporting: NE Rev. Stat. §§ 76-2,141; 76-1520 to 76-1524
- 4) Corporate Farming: NE Rev. Stat. §§ 76-3701 to 76-3717

NE Rev. Stat. § 4-107
NE Rev. Stat. § 30-2312
NE Rev. Stat. § 76-2,141
NE Rev. Stat. §§ 76-1520 to 76-1524
NE Rev. Stat. §§ 76-3701 to 76-3717

*Current through the end of the 2025 1st Regular Session of the 109th Nebraska State Legislature.
Some statute sections may be more current.*

NE Rev. Stat. § 4-107. Nonresident alien; property by succession or testamentary disposition; taking of property in this state; conditions; escheat; disposition of escheated property.

(1) The right of a nonresident alien to take either real or personal property or the proceeds thereof in this state by succession or testamentary disposition, upon the same terms and conditions as inhabitants and citizens of the United States, is dependent in each case upon:

(a) The existence of a reciprocal right upon the part of citizens of the United States to take real and personal property and the proceeds thereof upon the same terms and conditions as inhabitants and citizens of the country of which such nonresident alien is an inhabitant;

(b) The rights of citizens of the United States to receive by payment to them within the United States or its territories money originating from the estates of persons dying within such foreign country;

(c) Proof that such nonresident alien heirs, distributees, devisees, or legatees may receive the benefit, use, or control of property or proceeds from estates of persons dying in this state without



confiscation in whole or in part, by the governments of such foreign countries; and

(d) Compliance of the nonresident alien with the Foreign-owned Real Estate National Security Act, except that if the nonresident alien does not comply with the Foreign-owned Real Estate National Security Act, the act shall control the transfer and disposition of any of the property that is agricultural land.

(2) The burden is upon such nonresident alien to establish the fact of existence of the reciprocal rights set forth in subsection (1) of this section.

(3) If such reciprocal rights are not found to exist, the property shall be delivered to the State Treasurer to be held for a period of five years from date of death during which time such nonresident alien may show that he or she has become eligible to receive such property. If at the end of such period of five years no showing of eligibility is made by such nonresident alien, his or her rights to such property or proceeds shall be barred.

(4) At any time within the one year following the date the rights of such nonresident alien have been barred, any other person other than an ineligible nonresident alien who, in the case of succession or testamentary disposition, would have been entitled to the property or proceeds by virtue of the laws of Nebraska governing intestate descent and distribution had the nonresident alien predeceased the decedent, may petition the district court of Lancaster County for payment or delivery of such property or proceeds to those entitled thereto.

(5) If no person has petitioned the district court of Lancaster County for payment or delivery of such property or proceeds within six years from the date of death of decedent, such property or proceeds shall be disposed of as escheated property.

(6) All property other than money delivered to the State Treasurer under this section may within one year after delivery be sold by the State Treasurer to the highest bidder at public sale in whatever city in the state in the State Treasurer's judgment would be the most favorable market for the property involved. The State Treasurer may decline the highest bid and reoffer the property for sale if the State Treasurer considers the price bid insufficient. The State Treasurer need not offer any property for sale if, in the State Treasurer's opinion, the probable cost of sale exceeds the value of the property. Any sale held under this section shall be preceded by a single publication of notice of such sale at least three weeks in advance of sale in a newspaper of general circulation in the county where the property is to be sold and the cost of such publication and other expenses of sale paid out of the proceeds of such sale. The purchaser at any sale conducted by the State Treasurer pursuant to this section shall receive title to the property purchased, free from all claims of the owner or prior holder of such property and of all persons claiming through or under such owner or prior holder. The



State Treasurer shall execute all documents necessary to complete the transfer of title.

(7) For purposes of this section, nonresident alien has the same meaning as in section 76-3702.

NE Rev. Stat. § 30-2312. Alienage; conditions.

No person is disqualified to take as an heir because he or she or a person through whom he or she claims is or has been an alien except as provided in section 4-107 and under the Foreign-owned Real Estate National Security Act.

NE Rev. Stat. § 76-2,141. Covered real estate; affidavit; required when; form; penalty.

(1) For purposes of this section, covered real estate means real estate described in 31 C.F.R. 802.211(b)(3), as such regulation existed on January 1, 2025.

(2) Whenever there is a conveyance of covered real estate, the purchaser of the real estate shall complete and sign an affidavit stating that such purchaser is not affiliated with any foreign government or nongovernment person determined to be a foreign adversary pursuant to 15 C.F.R. 791.4, as such regulation existed on February 7, 2025.

(3) The affidavit shall be submitted to the register of deeds of the county in which the covered real estate is located. The register of deeds shall not record any instrument reflecting the conveyance of such real estate until he or she has received such affidavit. The register of deeds shall send a copy of the affidavit to the Attorney General.

(4) Any person who swears falsely on such an affidavit shall be guilty of a violation of section 28-915.01.

(5) The responsibility for determining whether an affidavit is required under this section rests solely with the purchaser, and no individual or entity other than the purchaser shall bear any civil or criminal liability under this section. A violation of this section shall not make any title or interest in land invalid or unmarketable.

(6) The affidavit required under this section shall be in substantially the following form:

STATE OF NEBRASKA)
)ss.
COUNTY OF)

I, _____ (Purchaser), certify under penalty of perjury that I am not affiliated with any foreign government or nongovernment person determined to be a foreign adversary pursuant to 15 C.F.R. 791.4, as such regulation existed on February 7, 2025.



Signature of Purchaser

Date

NE Rev. Stat. § 76-1520. Interest in real estate used for farming or ranching; reports required.

(1) A person serving as the president, a general partner, any other officer, or an authorized representative of a corporation, limited partnership, limited liability partnership, or limited liability company or a corporate trustee of a trust shall report to the Secretary of State:

(a) Any interest in real estate held by the corporation, limited partnership, limited liability partnership, limited liability company, or trust used for farming or ranching in this state as defined under Article XII, section 8, of the Constitution of Nebraska;

(b) Any activity or enterprise performed, conducted, or engaged in by the corporation, limited partnership, limited liability partnership, limited liability company, or trust defined as farming or ranching in this state under Article XII, section 8, of the Constitution of Nebraska; and

(c) Whether the corporation, limited partnership, limited liability partnership, limited liability company, or trust contracts with others engaged in farming or ranching for the care or production of agricultural commodities, including livestock.

(2) The reports required by this section shall be open to the public.

(3) For purposes of sections 76-1520 to 76-1524, interest in real estate used for farming or ranching includes legal, beneficial, and other interests, including interests held by a corporation, limited partnership, limited liability partnership, limited liability company, or trust in a general partnership holding real estate used for farming or ranching, but does not include an interest in real estate used for farming or ranching acquired by a corporation, limited partnership, limited liability partnership, limited liability company, or trust by process of law in the collection of debts or by any procedures for the creation or enforcement of a lien, encumbrance, or claim on the real estate, whether created by mortgage or otherwise.

NE Rev. Stat. § 76-1521. Reports; form; contents; secretary of state; duties.

(1) The report required by section 76-1520 shall be on a form provided by the Secretary of State. The Secretary of State may incorporate the form with other forms required to be filed by entities identified in subsection (1) of section 76-1520. If there has been no change in the information contained in the previous report filed by the reporting entity, the reporting entity may so indicate in a space provided on the reporting form for that purpose.

(2) The Secretary of State shall include a list of exemptions to the prohibitions contained in Article XII, section 8, of the



Constitution of Nebraska and a means by which persons filing the form may indicate, if applicable, which exemptions apply to the reporting entity. The reporting entity may include or attach a statement indicating the basis upon which the reporting entity claims exemption from the prohibitions contained in Article XII, section 8, of the Constitution of Nebraska.

(3) The Secretary of State shall annually prepare a report indicating the total number of entities reporting under sections 76-1520 to 76-1524, the number of entities reporting as a corporation, as a limited partnership, as a limited liability partnership, as a limited liability company, and as a trust and the basis upon which the reporting entities claim exemption from the prohibitions contained in Article XII, section 8, of the Constitution of Nebraska. The Secretary of State shall deliver the report electronically to the Clerk of the Legislature on or before January 1 each year.

NE Rev. Stat. § 76-1522. Failure to report; effect; Secretary of State; duties; reinstatement; fee.

(1) Failure to report the information required by section 76-1520 or the filing of false information shall be cause for dissolution or cancellation of registration of the corporation, limited partnership, limited liability partnership, or limited liability company or revocation of authority to transact business in this state in the manner provided in this section.

(2) If the Secretary of State has reason to believe a corporation, limited partnership, limited liability partnership, or limited liability company required to report pursuant to section 76-1520 has failed to report, or has filed a false or incomplete report, the Secretary of State shall send to the registered agent of such entity by certified mail a notice stating that if the defect is not corrected within sixty days after receipt of notice the entity shall be dissolved or its registration shall be canceled.

(3) If the Secretary of State determines that the entity has not corrected the defect upon the expiration of sixty days after notice of failure to report, false reporting, or incomplete reporting, the entity shall be dissolved or its registration canceled. Notice of such cancellation shall be sent by certified mail to the registered agent of the entity.

(4) A business entity dissolved or canceled pursuant to this section may have its existence reinstated at any time by submitting a report as required by sections 76-1520 to 76-1524 correcting the defect for which it was dissolved and paying a reinstatement fee of one hundred dollars to the Secretary of State. Any fees received pursuant to this section shall be remitted to the State Treasurer for credit to the Corporation Cash Fund.

NE Rev. Stat. § 76-1523. Corporate trustee; fine; when.



(1) Any corporate trustee failing to report the information required by section 76-1520 or filing false information shall be punished by a fine of not more than five hundred dollars.

(2) Any fines received pursuant to this section shall be remitted to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska.

NE Rev. Stat. § 76-1524. Secretary of State; Attorney General; powers.

The Secretary of State and the Attorney General, for the enforcement of both sections 76-1520 to 76-1524 and Article XII, section 8, of the Constitution of Nebraska, shall have the authority to subpoena witnesses, compel their attendance, examine them under oath, and require the production of documents, records, or tangible things deemed relevant to the proper performance of their duties. Service of any subpoena shall be made in the manner prescribed by the rules of civil procedure.

NE Rev. Stat. § 76-3701. Act, how cited.

Sections 76-3701 to 76-3717 shall be known and may be cited as the Foreign-owned Real Estate National Security Act.

NE Rev. Stat. § 76-3702. Terms, defined.

For purposes of the Foreign-owned Real Estate National Security Act:

(1) Foreign corporation means a corporation incorporated under the laws of a jurisdiction outside of the United States that would be a business corporation if incorporated under the laws of this state. A corporation incorporated in any state or territory of the United States or territory of any Indian tribe of the United States is not a foreign corporation;

(2) Foreign government means a government other than the federal government of the United States, the government of any territory or possession of the United States, or the government of any state, political subdivision of a state, or Indian tribe;

(3) Indian tribe means an Indian tribe or band which is recognized by federal law or formally acknowledged by the state;

(4) Nonresident alien means any human being who:

(a) Is not a citizen of the United States;

(b) Is not a national of the United States;

(c) Is not a lawful permanent resident of the United States; and

(d) Has not been physically present in the United States for at least one hundred eighty-three days during a three-year period that includes the current year and the two years immediately preceding the current year;



(5) Person means a human being, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, agency, or instrumentality, or any other legal or commercial entity; and

(6) Restricted entity means:

(a) Any person identified on the sanctions lists maintained by the Office of Foreign Assets Control of the United States Department of the Treasury as such sanctions lists existed on January 1, 2025; or

(b) Any person or foreign government determined by the United States Secretary of Commerce to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States pursuant to 15 C.F.R. 791.4, as such regulation existed on February 7, 2025.

NE Rev. Stat. § 76-3703. Foreign-owned real estate; prohibited; when.

(1) Except as provided in the Foreign-owned Real Estate National Security Act, a nonresident alien, foreign corporation, or foreign government, or an agent, a trustee, or a fiduciary thereof:

(a) Shall not purchase, acquire title to, or take any real estate or any leasehold interest extending for a period for more than five years or any other greater interest less than fee in any real estate in this state by descent, devise, purchase or otherwise on or after January 1, 2025; and

(b) Shall be in compliance with the federal Agricultural Foreign Investment Disclosure Act of 1978, 7 U.S.C. 3501 et seq., with respect to any real estate in Nebraska.

(2) Except as provided in the Foreign-owned Real Estate National Security Act, a restricted entity, nonresident alien, foreign corporation, foreign government, or an agent, trustee, or fiduciary thereof, who on or after January 1, 2025, purchases, acquires title to, or takes any real estate or any leasehold interest in violation of the Foreign-owned Real Estate National Security Act shall be subject to divestment as prescribed under section 76-3712.

(3) Any person, nonresident alien, foreign corporation, or foreign government, or agent, trustee, or fiduciary thereof, of an excepted real estate foreign state as determined by the Committee on Foreign Investment in the United States pursuant to 31 C.F.R. 802.1001(a) and 802.214, as such regulations existed on January 1, 2025, is exempt from the Foreign-owned Real Estate National Security Act except for any restricted entity, or agent, trustee, or fiduciary thereof.

NE Rev. Stat. § 76-3704. Oil and gas leases permitted; when.

(1) Except as provided in subsection (2) of this section, corporations incorporated under the laws of the United States of America, or under the laws of any state of the United States of America, or



any foreign corporation or any nonresident alien, doing business in this state, may acquire, own, hold, or operate leases for oil, gas, or other hydrocarbon substances, for a period as long as ten years and as long thereafter as oil, gas, or other hydrocarbon substances shall or can be produced in commercial quantities.

(2) A restricted entity or an agent, trustee, or fiduciary thereof may not acquire, own, hold, or operate leases for oil, gas, or other hydrocarbon substances pursuant to subsection (1) of this section. A restricted entity, or an agent, trustee, or fiduciary thereof, who violates this section shall be in violation of the Foreign-owned Real Estate National Security Act and subject to divestment as prescribed under section 76-3712.

NE Rev. Stat. § 76-3705. Land acquired by devise or descent; sale within five years required; exception.

Any nonresident alien may acquire title to lands in this state by devise or descent only, except that such nonresident alien shall be required to sell and convey such real estate within five years after the date of acquiring it, and if the nonresident alien fails to dispose of it to a bona fide purchaser for value within such time, the nonresident alien shall be in violation of the Foreign-owned Real Estate National Security Act and the real estate shall be subject to divestment as prescribed in section 76-3712. If a person no longer meets the definition of nonresident alien within five years of acquiring title to real estate by devise or descent, such person shall not be required to dispose or divest of the property.

NE Rev. Stat. § 76-3706. Corporations; board of directors; election of nonresident aliens; restrictions.

No corporation organized under the laws of this state and no corporation organized under the laws of any other state or country, doing business in this state, which was organized to hold or is holding real estate, except as provided in the Foreign-owned Real Estate National Security Act, shall elect nonresident aliens as members of its board of directors or board of trustees in a number sufficient to constitute a majority of such board, nor elect nonresident aliens as executive officers or managers nor have a majority of its capital stock owned by nonresident aliens.

NE Rev. Stat. § 76-3707. Corporations; violations; penalties.

Any corporation described in section 76-3706 violating such section shall be construed and held to be a nonresident alien and within the provisions of the Foreign-owned Real Estate National Security Act applicable to nonresident aliens. Any such domestic corporation violating section 76-3706 shall forfeit its charter and be dissolved. Any such foreign corporation violating section 76-3706 shall forfeit its right to do business in the State of Nebraska.

NE Rev. Stat. § 76-3708. Real estate of railroads, public utilities, and common carriers; applicability of sections.



(1) Except as provided in subsection (2) of this section, the provisions of sections 76-3703, 76-3706, and 76-3707 shall not apply to the real estate necessary for the construction and operation of railroads, public utilities, and common carriers.

(2) The provisions of sections 76-3703, 76-3706, and 76-3707 shall apply to the real estate of a restricted entity or an agent, trustee, or fiduciary thereof. A restricted entity, or an agent, trustee, or fiduciary thereof, who violates this section shall be in violation of the Foreign-owned Real Estate National Security Act and subject to divestment as prescribed under section 76-3712.

NE Rev. Stat. § 76-3709. Manufacturing or industrial establishments or establishments for storage, sale, and distribution of petroleum products or hydrocarbon substances; foreign ownership; allowed; when.

(1) Except as provided in subsection (2) of this section, any nonresident alien, foreign corporation, or foreign government, or an agent, trustee, or fiduciary thereof:

(a) May purchase, acquire, hold title to, or be a lessor or lessee of as much real estate as shall be necessary for the purpose of (i) erecting on such real estate manufacturing or industrial establishments, and in addition thereto such real estate as may be required for facilities incidental to such establishments, or (ii) erecting and maintaining establishments primarily operated for the storage, sale, and distribution of petroleum products or hydrocarbon substances, commonly known as filling stations or bulk stations; and

(b) Shall not expand establishments or facilities purchased, acquired, held, or leased pursuant to subdivision (1)(a) of this section or build new such establishments or facilities if such nonresident alien, foreign corporation, or foreign government is a restricted entity, or an agent, trustee, or fiduciary thereof.

(2)

(a) A restricted entity, or an agent, trustee, or fiduciary thereof, shall not purchase, acquire, hold title to, or be a lessor or lessee of real estate pursuant to subdivision (1)(a) of this section unless such restricted entity, or an agent, trustee, or fiduciary thereof, has received:

(i) A determination from the Committee on Foreign Investment in the United States that there are no unresolved national security concerns with respect to the real estate transaction and such restricted entity has not undergone a change in control constituting a covered control transaction, as defined in 31 C.F.R. 800.210, as such regulation existed on January 1, 2025, since such determination; or



(ii) A national security agreement with the Committee on Foreign Investment in the United States and maintains the validity of such national security agreement.

(b) A restricted entity, or an agent, trustee, or fiduciary thereof, who complies with the requirements of subdivision (2)(a)(i) or (ii) of this section shall annually certify such compliance to the Department of Agriculture on or before January 15, 2026, and on or before January 15 of each year thereafter.

(3) A restricted entity, or an agent, trustee, or fiduciary thereof, who this section shall be in violation of the Foreign-owned Real Estate Security Act and subject to divestment as prescribed under section shall be in violation of the Foreign-owned Real Estate National Security Act and subject to divestment as prescribed under section 76-3712.

NE Rev. Stat. § 76-3710. Real estate within cities and villages; manufacturing or industrial establishments; applicability of act.

(1) Except as provided in subsection (2) of this section, the provisions of the Foreign-owned Real Estate National Security Act shall not apply to any real estate lying within the corporate limits of cities and villages, or within three miles of such corporate limits, nor to any manufacturing or industrial establishment described in section 76-3709.

(2) A restricted entity, or an agent, trustee, or fiduciary thereof, who purchases, acquires, holds title to, or is the lessor or lessee of any real estate lying within the corporate limits of cities and villages, or within three miles of such corporate limits, or any manufacturing or industrial establishment described in section 76-3709 shall be subject to sections 76-3703 and 76-3709. A restricted entity, or an agent, trustee, or fiduciary thereof, who violates this subsection shall be subject to divestment as prescribed under section 76-3712.

NE Rev. Stat. § 76-3711. Attorney General; powers and duties.

(1) The Attorney General shall establish a process by which any person may submit information or concerns to the Attorney General regarding real estate transactions in Nebraska.

(2) The Attorney General may submit a report concerning real estate transactions that the Attorney General has identified in Nebraska to the Committee on Foreign Investment in the United States.

(3) The Attorney General shall (a) retain a copy of any documents submitted to the Committee on Foreign Investment in the United States that are included with any report submitted under subsection (2) of this section and (b) notify the Legislature and the Governor as soon as practicable after submitting such report and included documents to the Committee on Foreign Investment in the United States.



NE Rev. Stat. § 76-3712. Violations; investigation; voluntary divestment; action for divestment; procedure.

(1) Any person may notify the Department of Agriculture or the Attorney General of a violation or potential violation of the Foreign-owned Real Estate National Security Act.

(2) The Department of Agriculture shall investigate violations of the Foreign-owned Real Estate National Security Act. If the Director of Agriculture has reasonable suspicion to believe that a violation of the act has occurred, the director shall refer the suspected violation to the Attorney General or outside counsel retained by the Department of Agriculture for enforcement.

(3) The Attorney General or retained outside counsel, upon a referral by the Director of Agriculture or upon the receipt of any information from any person that gives the Attorney General or retained counsel reasonable suspicion to believe that a violation of the Foreign-owned Real Estate National Security Act has occurred, may issue subpoenas requiring the appearance of witnesses, the production of documents, and the giving of relevant testimony. Service of any subpoena shall be made in the same manner as a subpoena issued by any court in this state.

(4)

(a) After investigation, if the Attorney General or retained outside counsel believes that a violation of the Foreign-owned Real Estate National Security Act has occurred, the Attorney General or retained outside counsel shall notify the person believed to have committed or be committing such violation that such person may voluntarily divest the interest in the real estate that is the subject of the violation.

(b) The person believed to have committed or be committing a violation shall indicate to the Attorney General or retained outside counsel whether such person is voluntarily divesting the interest in the real estate that is the subject of the violation within thirty days of receiving the notice under subdivision (4)(a) of this section.

(c) If the person believed to have committed or to be committing a violation indicates that such person is voluntarily divesting the interest in the real estate that is the subject of the violation, such person shall be entitled to a grace period of one hundred eighty days to voluntarily divest the interest.

(d) The grace period of one hundred eighty days shall begin upon the end of the thirty-day period under subdivision (4)(b) of this section.

(e) No person shall sell or otherwise transfer real estate to another person prohibited under the act. Any person who violates this subdivision shall be subject to a civil penalty not to exceed fifty



thousand dollars per parcel of real estate sold or otherwise transferred to another person prohibited under the act.

(5) The Attorney General or retained outside counsel shall commence an action in either the district court in the county in which all or part of the real estate is located or in the district court of Lancaster County if:

(a) The person described in subdivision (4)(a) of this section fails to indicate to the Attorney General or retained outside counsel that such person is voluntarily divesting the interest in the real estate that is the subject of the violation within the thirty-day period under subdivision (4)(b) of this section; or

(b) Such person fails to voluntarily divest the interest in the real estate that is the subject of the violation within the grace period of one hundred eighty days.

(6) Upon commencement of an action under this section, the Attorney General or retained counsel shall:

(a) Promptly record a notice of the pendency of the action in records with the register of deeds in each county in which all or part of the real estate is located; and

(b) Serve a copy of the petition by service of process in the same manner as in civil cases as follows on:

(i) The owner of the real estate if the owner's address is known;

(ii) Any secured party who has registered or filed a lien, mortgage, or trust deed against the real estate or filed a financing statement against the real estate as provided by law if the identity of the secured party can be ascertained by the person filing the petition by making a good faith effort to ascertain the identity of the secured party;

(iii) Any other bona fide lienholder or secured party or other person holding an interest in the real estate if such party is known; and

(iv) Any person residing on the real estate subject to divestment at the time the petition is filed.

(7) The court shall have power to hear and determine the questions presented in such case and to declare such real estate to be divested. The burden is on the state to prove by clear and convincing evidence that the real estate is subject to divestment under the Foreign-owned Real Estate National Security Act. If the court finds that the real estate that is the subject of an action commenced under the act was purchased, acquired, taken, or held in violation of the act, the court shall enter an order that:



- (a) States the findings of the court;
- (b) Orders the divestment of the interest in the real estate of the person that violated the act;
- (c) Orders the Attorney General or retained outside counsel to promptly notify the Governor and the Clerk of the Legislature that the title to such real estate is ordered divested by the decree of the court;
- (d) Orders the Attorney General or retained outside counsel to promptly record a copy of such divestment order with the register of deeds of each county in which all or part of the real estate is located;
- (e) Appoints a receiver subject to sections 25-1081 to 25-1092 to manage and control the real estate through the final disposition of the real estate; and
- (f) Authorizes the proceeds of the divestment to be disbursed in the following order:
 - (i) The payment of any taxes and assessments due;
 - (ii) The payment of court costs related to the action or actions commenced under the Foreign-owned Real Estate National Security Act;
 - (iii) The payment of authorized costs of the sale, including all approved fees and pending sale expenses and expenses of the referee;
 - (iv) Reimbursement of investigation and litigation costs and expenses, in an amount approved by the court, to the Attorney General or retained outside counsel;
 - (v) Payment to bona fide lienholders of the real estate, in order of lien priority, except for liens which under the terms of the divestment are to remain on the real estate; and
 - (vi) Remittance of any remaining proceeds to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska.

(8) If the interest is a lease, easement, or interest other than fee title, the court shall have power to declare such interest terminated.

(9) If the respondent fails to answer or appear for the action commenced pursuant to this section, the court may enter default judgment.

NE Rev. Stat. § 76-3713. Receiver; sale of divested real estate.

The receiver shall sell any real estate ordered to be divested pursuant to section 76-3712 at public auction no later than one year after the date such divestment is ordered by the court. The receiver shall



execute the sale of the real estate in the manner provided for in the Nebraska Trust Deeds Act. The purchaser at any sale conducted by the receiver pursuant to the Foreign-owned Real Estate National Security Act shall receive title to the real estate purchased, free from all claims of the owner or prior holder thereof and of all persons claiming through or under the owner or prior holder. The receiver shall execute all documents necessary to complete the transfer of title.

NE Rev. Stat. § 76-3714. Violations; effect on title to real estate.

No title to an interest in real estate shall be invalid, voided, or subject to divestiture by reason of a violation of the Foreign-owned Real Estate National Security Act by any former owner or other person who held a former interest in such real estate.

NE Rev. Stat. § 76-3715. Act, how constructed; civil and criminal immunity.

Nothing in the Foreign-owned Real Estate National Security Act shall be construed to require any person to determine or inquire whether another person is subject to or in violation of the act, and such person shall bear no civil or criminal liability under the act for the failure to make such determination or inquiry. The Attorney General, retained outside counsel, and Director of Agriculture are responsible for determining whether a person is subject to or in violation of the act.

NE Rev. Stat. § 76-3716. Penalties; distribution.

Any penalties collected pursuant to the Foreign-owned Real Estate National Security Act shall be remitted to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska.

NE Rev. Stat. § 76-3717. Rules and regulations.

The Director of Agriculture and the Attorney General may adopt and promulgate rules and regulations necessary to carry out the Foreign-owned Real Estate National Security Act.

