

SB3995



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3995

Introduced 2/6/2026, by Sen. Jason Plummer

SYNOPSIS AS INTRODUCED:

New Act

Creates the Military Installation and Critical Infrastructure Protection Act. Prohibits a foreign principal from a foreign adversary country from directly or indirectly owning, having an interest of greater than 25% in, or acquire by purchase, grant, devise, or descent agricultural land or any interest except a de minimis indirect interest. Prohibits a foreign principal from a foreign adversary from leasing or purchasing land within 25 miles of a military installation. Voids any current contract in conflict with this Act. Prohibits a foreign principal from accessing critical infrastructure of the State unless approved by the Illinois Emergency Management Agency and bans certain software from being used in the State infrastructure. Defines terms. Makes other changes. Effective July 1, 2026.

LRB104 19929 JRC 33379 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title; purpose.

5 (a) This Act may be cited as the Military Installation and
6 Critical Infrastructure Protection Act.

7 (b) The purpose of this Act is to protect military
8 installations and State critical infrastructure by prohibiting
9 foreign adversaries from purchasing land near military bases
10 and from investing in and accessing State critical
11 infrastructure.

12 Section 2. Definitions. In this Act:

13 (a) "Agricultural land" means a land area that is either
14 arable, under permanent crops, or under permanent pastures.
15 Arable land includes land under temporary crops such as
16 cereals, temporary meadows for mowing or pasture, land under
17 market or kitchen gardens, and land temporarily fallow. Land
18 abandoned as a result of shifting cultivation is excluded.
19 Land under permanent crops is cultivated with crops that
20 occupy the land for long periods and need not be replanted
21 after each harvest, such as orchards or vineyards. This
22 category excludes land under trees grown for wood or timber.
23 Permanent pasture land is land used for 5 or more years for

1 forage, including natural and cultivated crops.

2 (b) "Company" means a for-profit sole proprietorship,
3 organization, association, corporation, partnership, joint
4 venture, limited partnership, limited liability partnership,
5 or limited liability company, including a wholly owned
6 subsidiary, majority-owned subsidiary, parent company, or
7 affiliate of those entities or business associations that
8 exists to make a profit; or a non-profit organization.

9 (c) "Critical infrastructure" means systems and assets,
10 whether physical or virtual, so vital to Illinois or the
11 United States of America that the incapacity or destruction of
12 such systems and assets would have a debilitating impact on
13 State or national security, State or national economic
14 security, State or national public health, or any combination
15 of those matters. A critical infrastructure may be publicly or
16 privately owned, and includes, but is not limited to:

17 (1) gas and oil production, storage, or delivery
18 systems;

19 (2) water supply, refinement, storage, or delivery
20 systems;

21 (3) telecommunications networks;

22 (4) electrical power delivery systems;

23 (5) emergency services;

24 (6) transportation systems and services; or

25 (7) personal data or otherwise classified information
26 storage systems, including cybersecurity.

1 (d) "Cybersecurity" means the measures taken to protect a
2 computer, computer network, computer system, or other
3 technology infrastructure against unauthorized use or access.

4 (e) "Domicile" means either the country in which a company
5 is registered, or where the company's affairs are primarily
6 completed, or where the majority of ownership share is held.

7 (f) "Foreign adversary" means the People's Republic of
8 China, the Russian Federation, the Islamic Republic of Iran,
9 the Democratic People's Republic of Korea, the Republic of
10 Cuba, or the Syrian Arab Republic, including any agent of or
11 any other entity under significant control of such foreign
12 adversary, or any other entity deemed by the Governor in
13 consultation with the Attorney General of Illinois.

14 (g) "Foreign entity" means any corporation, business
15 association, partnership, trust, society, or any other entity
16 or group that is not incorporated or organized to do business
17 in the United States, as well as international organizations,
18 foreign governments, and any agency or subdivision of foreign
19 governments.

20 (h) "Foreign principal" means:

21 (1) the government or any official of the government
22 of a foreign adversary;

23 (2) a political party or member of a political party
24 or any subdivision of a political party of a foreign
25 adversary;

26 (3) a partnership, association, corporation,

1 organization, or other combination of persons organized
2 under the laws of or having its principal place of
3 business in a foreign adversary, or a subsidiary of such
4 entity, or owned or controlled wholly or in part by any
5 person, entity, or collection of persons or entities of a
6 foreign adversary;

7 (4) any person who is domiciled in a foreign adversary
8 and is not a citizen or lawful permanent resident of the
9 United States; or

10 (5) any person, entity, or collection of persons or
11 entities, described in paragraphs (1) through (4) having a
12 controlling interest in a partnership, association,
13 corporation, organization, trust, or any other legal
14 entity or subsidiary formed for the purpose of owning real
15 property.

16 (i) "Non-notified transactions" means foreign investments
17 in the United States that are not voluntarily submitted to the
18 Committee on Foreign Investment in the United States for
19 review under 50 U.S.C. 4565.

20 (j) "Operational software" means computer programs used
21 for the operation, control, maneuver or maintenance of State
22 infrastructure, or any other computer program applications
23 related to State infrastructure.

24 (k) "Software" means any program, routine, or set of one
25 or more programs or routines that is used or intended for use
26 to cause one or more computers, pieces of computer-related

1 peripheral equipment, or both to perform a task or set of
2 tasks, as it relates to State infrastructure or any
3 operational software.

4 (l) "State infrastructure" means Critical Infrastructure
5 and Transportation Infrastructure.

6 (m) "Transportation infrastructure" includes, but is not
7 limited to:

8 (1) Airports, including, but not limited to,
9 commercial and intermodal airports and heliports; and all
10 airport infrastructure.

11 (2) Roadways, including, but not limited to, publicly
12 accessible streets, roads, highways, and bridges; and all
13 roadway infrastructure, including, but not limited to,
14 signage, toll booths, weigh stations, and traffic signals.

15 (3) Railways, including, but not limited to, all
16 classes of freight rail and passenger rail; and all
17 railway infrastructure, including, but not limited to,
18 intermodal rail yards and signals.

19 (4) Ports, including, but not limited to, inland
20 ports, seaports, deepwater ports, inland waterways, and
21 levees; and all port infrastructure, including, but not
22 limited to, intermodal stations.

23 (5) Public transit, including bus, ferry, cable car,
24 tram, trolley, and other types of publicly accessible
25 transportation and infrastructure.

26 (n) "Military base or installation" means any land,

1 structure, or property owned or controlled by any division of
2 the Department of Defense, Illinois National Guard, or any
3 other department of government, State or federal, critical to
4 the safety and security of Illinois or the United States of
5 America.

6 Section 3. Agricultural land purchases.

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

17 (1) less than 5% of any class of registered equities
18 or less than 5% in the aggregate in multiple classes of
19 registered equities; or

20 (2) a noncontrolling interest in an entity controlled
21 by a company that is registered with the United States
22 Securities and Exchange Commission as an investment
23 advisor under the Investment Advisers Act of 1940, as
24 amended, and is not a foreign entity.

25 (b) A foreign principal that directly or indirectly owns

1 or otherwise controls agricultural land, as defined in
2 subsection (a), in this State must sell, transfer, or
3 otherwise divest itself of the agricultural land within 180
4 days of the effective date of this Act.

5 (c) A foreign principal that directly or indirectly owns
6 or acquires agricultural land or any interest in such land in
7 this State must register with the Department of Agriculture
8 within 60 days of the enactment of this Act or the date of
9 acquisition, whichever is later. The Department must establish
10 a form for the registration, which, at minimum, must include
11 all of the following:

12 (1) the name of the owner of the agricultural land or
13 the owner of the interest in the land;

14 (2) the address of the agricultural land, the property
15 appraiser's parcel identification number, and the
16 property's legal description; and

17 (3) the number of acres of the agricultural land.

18 (d) Notwithstanding subsection (a), a foreign principal
19 from a foreign adversary country may acquire agricultural land
20 on or after the passage of this Act, by devise or descent,
21 through the enforcement of security interests, or through the
22 collection of debts, provided that the foreign principal
23 sells, transfers, or otherwise divests itself of the
24 agricultural land within 180 days of acquiring the
25 agricultural land.

26 (e) Any current deeds, contracts, rental agreements, or

1 other legal agreements in conflict with this Act are invalid
2 from the date of adoption unless otherwise provided.

3 (f) The Department of Agriculture shall adopt rules to
4 implement this Section.

5 (g) The responsibility for determining whether an entity
6 is subject to this Section is vested in the foreign entity, the
7 Attorney General of Illinois, and any qualifying
8 whistleblower. An individual or entity who is not a foreign
9 entity is not required to determine or inquire whether another
10 person or entity is or may be subject to this Section and bears
11 no civil or criminal liability under this Section.

12 (h) If a foreign principal from a foreign adversary
13 country does not divest the public or private lands as
14 required by this Section, the Attorney General shall commence
15 an action in the circuit court within the jurisdiction of the
16 public or private land.

17 (i) If the public or private land is held in violation of
18 this Section, the circuit court shall order that the public or
19 private land be sold through judicial foreclosure.

20 (j) If a whistleblower referral results in a divestiture
21 of land or other assets held in violation of this Section, the
22 whistleblower is entitled to a reward equal to 30% of the
23 proceeds of the land sale that results from the violation of
24 this Section after payments to lienholders. Proceeds of the
25 sale shall be disbursed in the following order, as applicable:

26 (1) The payment of authorized costs of the sale,

1 including all approved fees and expenses of the referee
2 and any taxes and assessments due.

3 (2) The payment, in an amount approved by the court,
4 to the Attorney General for reimbursement of investigation
5 and litigation costs and expenses.

6 (3) To bona fide lienholders, in their order of
7 priority, except for liens that under the terms of the
8 sale are to remain on the property.

9 (4) To whistleblowers.

10 (5) To the restricted foreign entity.

11 Section 4. Prohibited lease or purchase of land or
12 dwellings near military installations.

13 (a) A foreign principal from a foreign adversary country
14 is not allowed to directly or indirectly purchase, hold, rent,
15 or otherwise control any property within 25 miles of a
16 military base or installation.

17 (b) A foreign principal that directly or indirectly
18 controls any property covered by subsection (a), excluding
19 temporary contractual agreements such as rental or lease
20 agreements, must sell, transfer, or otherwise divest itself of
21 the property within 180 days of the passage of this Act.

22 (c) Any current deeds, contracts, rental agreements, or
23 other legal agreements in conflict with this Act are invalid
24 from the date of adoption unless otherwise provided.

25 (d) If a foreign principal from a foreign adversary

1 country does not divest the public or private lands as
2 required by this Section, the Attorney General shall commence
3 an action in the circuit court within the jurisdiction of the
4 public or private land.

5 (e) If the public or private land is held in violation of
6 this Section, the circuit court shall order that the public or
7 private land be sold through judicial foreclosure.

8 (f) If a whistleblower referral results in a divestiture
9 of land or other assets held in violation of this Section, the
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11 proceeds of the land sale that results from the violation of
12 this Section after payments to lienholders. Proceeds of the
13 sale shall be disbursed in the following order, as applicable:

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

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

20 (3) To bona fide lienholders, in their order of
21 priority, except for liens that, under the terms of the
22 sale, are to remain on the property.

23 (4) To whistleblowers.

24 (5) To the restricted foreign entity.

25 (g) The responsibility for determining whether an entity
26 is subject to this Section is vested in the foreign entity, the

1 Attorney General of Illinois, and any qualifying
2 whistleblower. An individual or entity who is not a foreign
3 entity is not required to determine or inquire whether another
4 person or entity is or may be subject to this Section and bears
5 no civil or criminal liability under this Section.

6 Section 5. Whistleblower enforcement reward.

7 (a) Any individual may act as a whistleblower and provide
8 a referral to the Office of the Illinois Attorney General for
9 violations of Section 3 and Section 4 of this Act.

10 (b) If a whistleblower referral results in a divestiture
11 of land or other assets held in violation of this Act, the
12 whistleblower is entitled to a reward equal to 30% of the
13 proceeds of the land sale that results from violation of this
14 Act.

15 (c) The whistleblower enforcement provision takes effect
16 180 days after the effective date of this Act.

17 Section 6. Prohibited access to critical infrastructure.

18 (a) An entity constructing, repairing, operating, or
19 otherwise having significant access to critical infrastructure
20 may not enter into an agreement relating to critical
21 infrastructure in this State with a foreign principal from a
22 foreign adversary country or use products or services produced
23 by a foreign principal from a foreign adversary country.

24 (b) A governmental entity may not enter into a contract or

1 other agreement relating to critical infrastructure in this
2 State with a company that is a foreign principal from a foreign
3 adversary country or use products or services produced by a
4 foreign principal from a foreign adversary country.

5 (c) Notwithstanding subsections (a) and (b), an entity or
6 governmental entity may enter into a contract or agreement
7 relating to critical infrastructure with a foreign principal
8 from a foreign adversary country or use products or services
9 produced by a foreign principal from a foreign adversary
10 country if:

11 (1) there is no other reasonable option for addressing
12 the need relevant to State critical infrastructure;

13 (2) the contract is pre-approved by Illinois Emergency
14 Management Agency and Office of Homeland Security; and

15 (3) failure to enter into a contract or agreement
16 poses a greater threat to the State than the threat
17 associated with entering into the contract.

18 Section 7. Requirements for access to critical
19 infrastructure.

20 (a) To access critical infrastructure, a company must file
21 a certification form with and pay a certification fee to the
22 Illinois Emergency Management Agency and Office of Homeland
23 Security. The Agency shall prescribe the registration form to
24 be filed under this Section.

25 (b) To maintain registration as a company with access to

1 critical infrastructure, a company must:

2 (1) identify all employee positions in the
3 organization that have access to critical infrastructure;

4 (2) before hiring such a person or allowing such
5 person to continue to have access to critical
6 infrastructure, obtain criminal history record information
7 relating to the prospective employee and any other
8 background information considered necessary by the company
9 or required by the Agency to protect critical
10 infrastructure from foreign adversary infiltration or
11 interference;

12 (3) prohibit foreign nationals from an adversary
13 nation from access to critical infrastructure; and

14 (4) be compliant with Section 6 of this Act.

15 (c) The Agency shall set the fee in an amount sufficient to
16 cover the costs of administering the certification process but
17 not to exceed \$150.

18 (d) The Agency shall provide that a company is compliant
19 with all requirements of this Section or revoke certification.

20 Section 8. Prohibitions on certain software in critical
21 infrastructure.

22 (a) All software used in State infrastructure located
23 within or serving Illinois shall not include any software
24 produced by a federally banned corporation, nor any software
25 banned at the federal level.

1 (b) All software used in State infrastructure located
2 within or serving Illinois shall not include any software
3 produced in or by a foreign adversary, a State-owned
4 enterprise of a foreign adversary, or a company domiciled
5 within a foreign adversary.

6 (c) All software used in State infrastructure in operation
7 within or serving Illinois, to include any State
8 infrastructure which is not permanently disabled, shall have
9 all software prohibited by subsection (a) or (b) removed and
10 replaced with software that is not prohibited by subsection
11 (a) or (b).

12 (d) Any State infrastructure provider that removes,
13 discontinues, or replaces any prohibited software is not
14 required to obtain any additional permits from any State
15 agency or political subdivision for the removal,
16 discontinuance, or replacement of such software as long as the
17 State agency or political subdivision is properly notified of
18 the necessary replacements and the replacement software is
19 similar to the existing software.

20 Section 9. Reporting non-notified transactions.

21 (a) The Office of the Illinois Attorney General shall
22 establish a process by which local officials, State officials,
23 or other persons may submit information or concerns to the
24 Office regarding non-notified transactions in Illinois. The
25 Office of the Illinois Attorney General may adopt any

1 necessary rules to implement this subsection.

2 (b) The Illinois Attorney General may submit a memorandum
3 or report concerning non-notified transactions the Office of
4 the Attorney General has identified in Illinois to the
5 Committee on Foreign Investment in the United States.

6 (c) The Office of the Illinois Attorney General shall:

7 (1) retain a copy of any documents submitted to the
8 Committee described in subsection (b) that are included
9 with a memorandum or report submitted under that
10 subsection; and

11 (2) notify the General Assembly and the Governor as
12 soon as practicable after submitting a memorandum, report,
13 or other information under subsection (b).

14 Section 10. Severability. If any provision of this Act, or
15 the application of any provision to any person or
16 circumstance, is held to be invalid, the remainder of this Act
17 and the application of its provisions to any other person or
18 circumstance are not affected.

19 Section 99. Effective date. This Act takes effect July 1,
20 2026.