

**STATE OF MISSOURI
DEPARTMENT OF AGRICULTURE**

Reg. No. _____
Date Rec'd. _____

CORPORATE FARM REGISTRATION
(CHAPTER 350, RSMo., 1986)

**P.O. BOX 630
JEFFERSON CITY, MISSOURI 65102**

REPORTS REQUIRED: Every corporation engaged in farming or proposing to commence in Missouri....shall file this report with the Director of the Missouri Department of Agriculture. Sec. 350.020.1, RSMo. 1986.

SUBSEQUENT REPORTS REQUIRED: Subsequent reports shall be filed by corporations (except family farm corporations):

- (1) Whenever **any** information changes. Sec 350.020.4(1), RSMo. 1986
- (2) Whenever ownership of controlling interest changes. Sec. 350.020.4(2). RSMo. 1986
- (3) Whenever land owned or leased ceases to be used for farming or is sold. Sec 350.020.4(3), RSMo. 1986

PENALTY: Failure to file a report or use of false information shall be a misdemeanor punishable by fine. Sec. 350.020.5, RSMo. 1986.

COPY OF FARMING CORPORATIONS LAW ON PAGE 4.

1. THIS IS THE FIRST REGISTRATION FILED FOR THIS CORPORATION IN MISSOURI. YES NO
THIS IS AN AMENDED REGISTRATION REPORT. YES NO

2. NAME OF CORPORATION

3. DATE OF INCORPORATION | 4. PLACE OF INCORPORATION

5. ADDRESS OF REGISTERED OFFICE IN MISSOURI

6. NAME, ADDRESS, AND TELEPHONE NUMBER OF REGISTERED AGENT IN MISSOURI

7. IF FOREIGN CORPORATION, ADDRESS OF PRINCIPAL OFFICE IN PLACE OF INCORPORATION

8. NAMES AND ADDRESS OF OFFICERS AND MEMBERS OF BOARD OF DIRECTORS

TITLE	NAME	STREET, ROUTE, BOX	CITY	STATE	ZIP CODE
PRESIDENT					
VICE PRESIDENT					
SECRETARY					
TREASURER					
OTHER					
DIRECTOR					

CODE TABLE

Please insert the appropriate code number(s) from this table in the **CODE** column under **LAND OWNED** or **LAND LEASED** to describe each parcel of land listed.

- 1a. Agricultural land owned by a **FAMILY FARM CORPORATION** as defined by Sec.350.010.5.
- 1b. Agricultural land owned by an **AUTHORIZED FARM CORPORATION** as defined in Sec. 350.010(2).

Other Corporations - Exemption Codes: *(Corporations not to engage in farming - exceptions.)*

- 2. A bona fide encumbrance taken for purposes of security. Sec. 350.015(1).
- 3. Agricultural land and land capable of being used for farming, owned and/or leased by a corporation prior to September 28, 1975, including normal expansion at a rate not to exceed 20% in any 5-year period. Sec 350.015(3).
- 4. A farm operated wholly for certain research or experimental purposes. Sec. 350.015(4).
- 5. Agricultural land operated for growing nursery plants, vegetables, grains or fruits used exclusively for brewing or winemaking or distilling and not for resale; forest cropland; production of poultry or poultry products; fish or mushrooms; registered breeding stock for sale to farmers to improve their breeding herds; raw materials for pharmaceutical manufacture, chemical processing, food additives and related products and not for resale. Sec. 350.015(5).
- 6. Agricultural land lying within 15 miles of a dehydrating plant which is operated exclusively for alfalfa dehydration. Crops raised thereon are used for further processing and are not for resale in original form. Sec. 350.015(6).
- 7. An interest in land acquired by an educational, religious or charitable not-for-profit or pro forma corporation or association. Sec.350.015 (7).
- 8. Agricultural land acquired for immediate or potential use in non-farming purposes. If used for farming, it is under lease to a family unit, family farm corporation, or an authorized farm corporation. Sec. 350.015(8).
- 9. Agricultural land acquired by process of law or voluntary conveyance in the collection of debts. Sec. 350.015(9).
- 10. A farm operated to raise hybrid hogs. Sec. 350.015(10).
- 11. A bank or trust company acting as administrator or executor of a will or trustee under terms of a testamentary, inter vivos, or testamentary trust, the principal of which is shares of a family farm corporation or authorized farm corporation and which trust is created by a shareholder of the family farm corporation or authorized farm corporation. Sec. 350.015(11).
- 12. A corporation or limited partnership for the production of swine or swine products located in a county meeting specific population and geographic requirements. Sec. 350.016.

9. ACREAGE AND LOCATION OF EACH LOT OR PARCEL OF LAND IN MISSOURI WHICH IS PRESENTLY OWNED OR LEASED BY A CORPORATION AND IS USED FOR FARMING. (Sec. 350.020.1(3) RSMo. 1986.

LAND OWNED

DATE ACQUIRED	CODE	ACREAGE	SECTION	TOWNSHIP	COUNTY
Example: 6-2-87	(see table) 9	240	8	19	Cole

LAND LEASED

DATE OF LEASING	ACREAGE	SECTION	TOWNSHIP	COUNTY
EXAMPLE: 5-10-72	560	16	18	MILLER

ATTACH ADDITIONAL PAGES IF MORE SPACE IS NEEDED

STOP! ONLY FAMILY FARM CORPORATIONS AND AUTHORIZED FARM CORPORATIONS SHOULD COMPLETE ITEMS 10 THROUGH 12.

10. FAMILY FARM CORPORATION AUTHORIZED FARM CORPORATION

11. NAME, ADDRESS AND NUMBER OF SHARES OWNED BY:

a. PERSONS RESIDING ON THE FARM: SEC.350.020.2 (1), RSMo. 1986

NAME	COMPLETE ADDRESS	NUMBER OF VOTING SHARES

b. PERSONS ENGAGED IN FARMING: SEC. 350.020.2(1), RSMo. 1986

NAME	COMPLETE ADDRESS	NUMBER OF VOTING SHARES

c. RELATIVES OF ITEMS a. AND b. ABOVE: SEC. 350.020.2(1), RSMo. 1986

NAME	COMPLETE ADDRESS	NUMBER OF VOTING SHARES

d. SHAREHOLDERS OTHER THAN THOSE LISTED IN a., b., AND c. ABOVE SEC.350.020.2 (2), RSMo. 1986

NAME	COMPLETE ADDRESS	NUMBER OF VOTING SHARES

ATTACH ADDITIONAL PAGES IF MORE SPACE IS NEEDED

12. TOTAL NUMBER OF SHARES

13. PERCENTAGE OF INCOME FROM SOURCES OTHER THAN FARMING _____%
SEC. 350.020.2(3), RSMo. 1986

IN WITNESS WHEREOF, the undersigned corporation has caused this registration consisting of _____ pages to be executed in its name by its President, _____, attested by its Secretary, _____, this _____ day of _____, 20____.

Upon review of this registration, I declare that to the best of my knowledge and belief, it is true, correct and complete.

Exact Corporate Name

President or Vice President

Corporate Seal

Secretary or Assistant Secretary

CHAPTER 350 – FARMING CORPORATIONS

Sec.

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350.010. Definitions.-For the purposes of this section, the terms defined in this section have the meanings here given them:

(1) **"Agricultural land"** means land used for farming.

(2) **"Authorized Farm Corporation"** means a corporation meeting the following standards:

(a) All of its shareholders, other than any estate, or revocable and irrevocable trusts, are natural persons;

(b) It must receive two-thirds or more of its total net income from farming as defined in this section;

(3) **"Corporation"** means a corporation or a cooperative.

(4) **"Family farm"** means an unincorporated farming unit owned or leased by one or more persons residing on the farm or actively engaging in farming.

(5) **"Family farm corporation"** means a corporation incorporated for the purpose of farming and the ownership of agricultural land in which at least one-half of the voting stock is held by and at least one-half of the stockholders are members of a family related to each other within the third degree of consanguinity or affinity including the spouses, sons-in-law and daughters-in-law of any such family member according to the rules of the common law, and at least of whose stockholders is a person residing on or actively operating the farm, and none of whose stockholders are a corporation prohibited by section 350.015 from entering into farming, or a corporation which is subject to the controlled expansion provisions of section 350.015; provided that a family farm corporation shall not cease to qualify as such hereunder by reason of any gift, devise or bequest of shares of voting stock. A person actively operating a farm shall include, but not be limited to, a person who has an ownership interest in the family farm corporation and exercises some management control or direction.

(6) **"Farming"** means using or cultivating land for the production of (a) agricultural crops; (b) livestock or livestock products; (c) poultry or poultry products; (d) milk or dairy products; or (e) fruit or other horticultural products, provided; however, "farming" shall not include a processor of farm products or a distributor of farming supplies contracting to provide spraying, harvesting or other farming services. *Probably should refer to sections 350.010 to 350.030.

350.015. Corporations not to engage in farming-exceptions.-After September 28, 1975, no corporation not already engaged in farming shall engage in farming; nor shall any corporation, directly or indirectly, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to agricultural land in this state; provided, however, that the restrictions set forth in this section shall not apply to the following:

(1) A bona fide encumbrance taken for purposes of security;

(2) A family farm corporation or an authorized farm corporation as defined in section 350.010;

(3) Agricultural land and land capable of being used for farming owned by a corporation as of September 28, 1975, including the normal expansion of such ownership at a rate not to exceed twenty percent, measured in acres, in any five-year period, or agricultural land and land capable of being used for farming which is leased by a corporation in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of September 28, 1975, and the additional acreage for normal expansion at a rate not to exceed twenty percent in any five-year period, and the additional acreage reasonably necessary, whether to be owned or leased by a corporation, to meet the requirements of pollution control regulations;

(4) A farm operated wholly for research or experimental purposes, including seed research and experimentation and seed stock production for genetic improvements, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(5) Agricultural land operated by a corporation for the purposes of growing nursery plants, vegetables, grain or fruit used exclusively for brewing or winemaking or distilling purposes and not for resale, for forest cropland or for the production of poultry, poultry products, fish or mushroom farming, production of registered breeding stock for sale to farmers to improve their breeding herds, for the production of raw materials for pharmaceutical manufacture, chemical processing, food additives and related products, and not for resale;

(6) Agricultural land operated by a corporation for the purposes of alfalfa dehydration exclusively and only as to said lands lying within fifteen miles of a dehydrating plant, and provided further said crops raised thereon shall be used only for further processing and not for resale in its original form;

(7) Any interest, when acquired by an educational, religious, or charitable not for profit or pro forma corporation or association;

(8) Agricultural land or any interest therein acquired by a corporation other than a family farm corporation or authorized farm corporation, as defined in section 350.010, for immediate or potential use in nonfarming purposes. A corporation may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or an authorized farm corporation, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914), as amended, or a subsidiary or assign of such a corporation;

(9) Agricultural lands acquired by a corporation by process of law or voluntary conveyance in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that any corporation may hold for ten years real estate acquired in payment of a debt, by foreclosure or otherwise, and for such longer period as may be provided by law;

(10) The provisions of sections 350.010 to 350.030 shall not apply to the raising of hybrid hogs in connection with operations designed to improve the quality, characteristics, profitability, or marketability of hybrid hogs through selective breeding and genetic improvement where the primary purpose of such livestock raising is to produce hybrid hogs to be used by farmers and livestock raisers for the improvement of the quality of their herds;

(11) A bank or trust company acting as administrator or executor under the terms of a will or trustee under the terms of a testamentary or inter vivos trust created by the owner of a family farm, or an inter vivos or testamentary trust, the principal of which is shares of a family farm corporation or authorized farm corporation and which trust is created by a shareholder of the family farm corporation or authorized farm corporation. However, a bank or trust company acting in the administration of an investment trust or a management trust formed with the primary purpose of making or managing investments or income-producing property and purchasing agricultural real estate with trust funds with the primary benefits accruing to investors or shareholders in the trust is not exempt from the provisions of sections 350.010 to 350.030. (L. 1975 H.B. 655 § 2, A.L. 1977 S.B. 326)

350.016. Restriction on corporate farming, exceptions certain counties engaging in production of swine.-The restrictions set forth in section 350.015 shall not apply to agricultural land in counties located north of the Missouri River and west of the Chariton River and having a population of more than three thousand five hundred and less than seven thousand inhabitants which border at least two other counties having a population of more than three thousand five hundred and less than seven thousand inhabitants which is used by a corporation or limited partnership for the production of swine or swine products. (L. 1993 S.B.84)

350.016. Restriction on corporate farming, exceptions certain counties engaging in production of swine.-The restrictions set forth in section 350.015 shall not apply to agricultural land which is used by a corporation or limited partnership for the production of swine or swine products located in any county of the third classification with a township form of government which has at least three thousand but no more than four thousand inhabitants, or any county which adjoins such county which has a population of at least four thousand five hundred but no more than six thousand five hundred inhabitants. (L. 1993 H.B. 566)

350.020. Reports required, when-penalty for failure to file or false report.-1. Every corporation engaged in farming, or proposing to commence farming, in this state after September 28, 1975, shall file with the director of the state department of agriculture a report containing the following information:

(1) The name of the corporation and its place of incorporation;

(2) The address of the registered office of the corporation in this state, the name and address of its registered agent in this state and, in the case of a foreign corporation, the address of its principal office in its place of incorporation;

(3) The acreage and location listed by section, township, and county of each lot or parcel of land in this state owned or leased by the corporation and used for farming; and

(4) The names and addresses of the officers and the members of the board of directors of the corporation.

2. The report of a corporation seeking to qualify hereunder as a family farm corporation or an authorized farm corporation shall contain the following additional information:

(1) The number of shares owned by persons residing on the farm or actively engaged in farming, or their relatives within the third degree of consanguinity or affinity including their spouses, sons-in-law and daughters-in-law according to the rules of the common law;

(2) The name, address and number of shares owned by each shareholder; and

(3) A statement as to percentage of net receipts of the corporation derived from any sources other than farming.

3. No corporation shall commence farming in this state until it has filed the report required by this section.

4. Every corporation, except a family farm corporation, engaged in farming in this state shall file with the director of the state department of agriculture a report containing the information required in subsection 1 of this section. Said reports shall be filed:

(1) Whenever any of the information required in subsection 1 changes;

(2) Whenever ownership of the controlling interest in the corporation changes; and

(3) Whenever the land owned or leased by the corporation ceases to be used for farming or is sold by the corporation.

5. The failure of a corporation to file a required report, or the use of false information in the report, shall be a misdemeanor for which the corporation shall be punished by a fine of not less than five hundred dollars or more than one thousand dollars. (L. 1975 H. B. 655 § 3, A. L. 1979 S. 8. 41)

350.025. Farm cooperatives to file reports.-All farm cooperatives who own farm land shall report under section 350.020 hereof. (L. 1975 H.B. 655 § 5)

350.030. Attorney general to enforce-venue-divestment of lands, failure, effect of. If the attorney general finds a corporation is violating sections 350.010 to 350.030, he shall institute an action in the circuit court of Cole County, Missouri, if a foreign corporation, and if a Missouri corporation in the circuit court of any county in which the corporation owns any agricultural lands or if the land is located in two or more counties, then in the circuit court of a county in which a part of the land is located. The attorney general shall file a notice of the pendency of the action with the recorder of deeds of each county in which any portion of said lands are located. If the court finds that the lands in questions are being held or used in violation of sections 350.010 to 350.030, it shall enter an order so declaring. The court shall file for record its order with the recorder of deeds of each county in which any portion of said lands are located. Thereafter, the corporation owning the land shall comply with the orders of the court, or if so ordered shall have a period of two years from the date of such order to divest itself of such land. The two-year limitation period shall be a covenant running with the title to the land against any corporate grantee or corporate assignee or the successor corporation of such corporation, except those corporations excluded by section 350.015. Any lands not divested within the time prescribed shall be ordered sold by the court at public sale in the manner prescribed by law for the foreclosure of a mortgage on real estate for default in payment. (L. 1975 H.B. 655 § 4)

350.040. Corporation or cooperative not eligible for economic assistance unless family farm or family farm corporation is eligible. - Notwithstanding any other provision of law to the contrary, any corporation or cooperative engaged in farming as defined in subdivision (6) of section 350.010 shall not be eligible for any state tax credits, deductions, state grants, loans or other financial or economic assistance, unless a family farm or a family farm corporation as defined in subdivisions (4) and (5) of section 350.010 receives such credits, deductions, grants, loans, or other assistance. This section does not apply to agricultural processing or food processing facilities.