

Article 3.

Prohibit Adversarial Foreign Government Acquisition of High Purity Quartz.

§ 64-50. Title.

This act shall be known and be cited as the North Carolina High Purity Quartz Protection Act. (2024-45, s. 10(a).)

§ 64-51. Purpose.

The General Assembly finds that high purity quartz is a highly valuable resource used in the manufacture of semiconductors, optical fibers, circuit boards, and other technologically advanced components and it is therefore in the public interest for the State to guard its deposits of high purity quartz from the potential of adversarial foreign government control in order to protect our vital mineral and economic resources. (2024-45, s. 10(a).)

§ 64-52. Definitions.

As used in this Article, the following definitions apply:

- (1) Adversarial foreign government. – A state-controlled enterprise or the government of a foreign nation that has received a designation under 15 C.F.R. § 7.4 from a determination by the United States Secretary of Commerce that the entity has engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons.
- (2) Controlling interest. – Possession of more than fifty percent (50%) of the ownership interest in an entity. The term also includes possession of fifty percent (50%) or less of the ownership interest in an entity if an owner directs the business and affairs of the entity without the requirement or consent of any other party.
- (3) High purity quartz. – A mineral made of silicon dioxide and containing fewer than 50 parts per million of impurity elements.
- (4) Interest. – Any estate, remainder, or reversion, or any portion of the estate, remainder, or reversion, or an option pursuant to which one party has a right to cause the transfer of legal or equitable title to land covered by G.S. 64-53(a); or ownership or partial ownership of a mining operation covered under G.S. 64-53(a).
- (5) State-controlled enterprise. – A business enterprise, however denominated, in which a foreign government has a controlling interest. (2024-45, s. 10(a).)

§ 64-53. Adversarial foreign government acquisition of high purity quartz resources prohibited.

(a) Notwithstanding any provision of law to the contrary, no adversarial foreign government shall purchase, acquire, lease, or hold any interest in the following:

- (1) A quartz mining operation.
- (2) Land containing commercially valuable amounts of high purity quartz.

(b) Any transfer of an interest in land or a mining operation in violation of this section shall be void.

(c) The responsibility for determining whether an individual or other entity is subject to this Article rests solely with the United States Secretary of Commerce and the State of North

Carolina and no other individual or entity. An individual or other entity who is not an adversarial foreign government shall bear no civil or criminal liability for failing to determine or make inquiry of whether an individual or other entity is an adversarial foreign government. (2024-45, s. 10(a).)