

By the Committee on Governmental Oversight and Accountability;
and Senators Aronberg, Deutch, Lynn, Justice, Sobel, and Crist

585-04286-10

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1 A bill to be entitled
2 An act relating to restrictions on business entities
3 doing business with Iran; providing definitions;
4 prohibiting the state from entering into, awarding, or
5 renewing a contract or purchasing agreement for
6 commodities or contractual services with, or receiving
7 or soliciting proposals for the acquisition of
8 commodities or contractual services from, any business
9 entity doing business with Iran; providing an
10 exception for the State Board of Administration;
11 providing for the cessation of such prohibition under
12 specified circumstances; directing the Department of
13 State, in conjunction with the Department of
14 Management Services, the Department of Business and
15 Professional Regulation, the Department of Legal
16 Affairs, and the State Board of Administration, to
17 develop a mechanism for the identification of business
18 entities doing business with the nation of Iran and
19 for the enforcement of the act; providing an effective
20 date.

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22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Restrictions on business entities doing business
25 with Iran.—

26 (1) DEFINITIONS.—For purposes of this section:

27 (a) "Business entity" means:

28 1. Any proprietorship, firm, enterprise, franchise,
29 organization, association, corporation, partnership, joint

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30 venture, limited partnership, limited liability partnership,
31 limited liability company, trust, or other entity or business
32 association, including all wholly owned subsidiaries, majority-
33 owned subsidiaries, parent companies, or affiliates of such
34 entities or business associations; or

35 2. Any self-employed individual,

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37 whether fictitiously named or not, doing business in this state,
38 which exists for the purpose of making a profit.

39 (b) "Doing business with Iran" means:

40 1. Engaging in commerce in any form with Iran, including,
41 but not limited to, acquiring, developing, maintaining, owning,
42 selling, possessing, leasing, or operating equipment,
43 facilities, personnel, products, services, personal property,
44 real property, or any other apparatus of business or commerce.

45 2. Engaging in or in any way benefiting from dealings with,
46 or activities related to or involving, the nation of Iran.

47 (c) "Iran" means the Islamic Republic of Iran and includes
48 the government of Iran, its instrumentalities, and companies
49 owned or controlled by the government of Iran.

50 (2) PROHIBITED CONTRACTS.—The state may not enter into,
51 award, or renew a contract or purchasing agreement for
52 commodities or contractual services with, or receive or solicit
53 proposals for the acquisition of commodities or contractual
54 services from, any business entity doing business directly with
55 Iran. However, in order to administer investment portfolios as
56 provided in ss. 215.47 and 121.4501, the State Board of
57 Administration may enter into contracts and other agreements as
58 necessary to carry out the board's investment duties.

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59 (3) CESSATION OF PROHIBITION.—The prohibition under
60 subsection (2) is removed if the Congress or the President of
61 the United States affirmatively and unambiguously declares, by
62 means including, but not limited to, legislation, executive
63 order, or written certification from the President to Congress,
64 that the prohibition of contracts, awards, and agreements
65 provided in subsection (2) interferes with the conduct of United
66 States foreign policy.

67 (4) IDENTIFICATION OF BUSINESS ENTITIES; ENFORCEMENT.—The
68 Department of State, in conjunction with the Department of
69 Management Services, the Department of Business and Professional
70 Regulation, the Department of Legal Affairs, and the State Board
71 of Administration, shall develop a mechanism for the
72 identification of business entities doing business with the
73 nation of Iran and for the enforcement of this section.

74 Section 2. This act shall take effect October 1, 2010.