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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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04/21/2021 01:14 PM

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Senator Diaz moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 286.101, Florida Statutes, is created to
read:

286.101 Foreign gifts and contracts.-

(1) As used in this section, the term:

(a) "Contract" means any agreement for the direct benefit
or use of any party to such agreement, including an agreement
for the sale of commodities or services.



116096

12 (b) "Foreign country of concern" means the People's
13 Republic of China, the Russian Federation, the Islamic Republic
14 of Iran, the Democratic People's Republic of Korea, the Republic
15 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian
16 Arab Republic, including any agency of or any other entity under
17 significant control of such foreign country of concern.

18 (c) "Foreign government" means the government of any
19 country, nation, or group of nations, or any province or other
20 political subdivision of any country or nation, other than the
21 government of the United States or the government of a state or
22 political subdivision, including any agent of such foreign
23 government.

24 (d) "Foreign source" means any of the following:

25 1. A foreign government or an agency of a foreign
26 government.

27 2. A legal entity, governmental or otherwise, created
28 solely under the laws of a foreign state or states.

29 3. An individual who is not a citizen or a national of the
30 United States or a territory or protectorate of the United
31 States.

32 4. An agent, including a subsidiary or an affiliate of a
33 foreign legal entity, acting on behalf of a foreign source.

34 (e) "Gift" means any transfer of money or property from one
35 entity to another without compensation.

36 (f) "Grant" means a transfer of money for a specified
37 purpose, including a conditional gift.

38 (g) "Interest" in an entity means any direct or indirect
39 investment in or loan to the entity valued at 5 percent or more
40 of the entity's net worth or any form of direct or indirect



116096

41 control exerting similar or greater influence on the governance
42 of the entity.

43 (h) "State agency" means any agency or unit of state
44 government created or established by law.

45 (2) Any state agency or political subdivision that receives
46 directly or indirectly any gift or grant with a value of \$50,000
47 or more from any foreign source shall disclose such gift or
48 grant to the Department of Financial Services within 30 days
49 after receiving such gift or grant. Such disclosure shall
50 include the date of the gift or grant, the amount of the gift or
51 grant, and the name and country of residence or domicile of the
52 foreign source. Disclosure is not required if such gift or grant
53 is disclosed under s. 1010.25.

54 (3) (a) Any entity that applies to a state agency or
55 political subdivision for a grant or proposes a contract having
56 a value of \$100,000 or more shall disclose to the state agency
57 or political subdivision any current or prior interest of, any
58 contract with, or any grant or gift received from a foreign
59 country of concern if such interest, contract, or grant or gift
60 has a value of \$50,000 or more and such interest existed at any
61 time or such contract or grant or gift was received or in force
62 at any time during the previous 5 years. Such disclosure shall
63 include the name and mailing address of the disclosing entity,
64 the amount of the contract or grant or gift or the value of the
65 interest disclosed, the applicable foreign country of concern
66 and, if applicable, the date of termination of the contract or
67 interest, the date of receipt of the grant or gift, and the name
68 of the agent or controlled entity that is the source or interest
69 holder. Within 1 year before applying for any grant or proposing



116096

70 any contract, such entity must provide a copy of such disclosure
71 to the Department of Financial Services.

72 (b) Disclosure under this subsection is not required with
73 respect to:

74 1. A proposal to sell commodities through the online
75 procurement program established pursuant to s. 287.057(22);

76 2. A proposal to sell commodities to a university pursuant
77 to Board of Governors Regulation 18.001;

78 3. An application or proposal from an entity that discloses
79 foreign gifts or grants under subsection (2) or s. 1010.25;

80 4. An application or proposal from a foreign source that,
81 if granted or accepted, would be disclosed under subsection (2)
82 or s. 1010.25; or

83 5. An application or proposal from a public or not-for-
84 profit research institution with respect to research funded by
85 any federal agency.

86 (c) A disclosure published online pursuant to subsection
87 (5) is deemed disclosed to every state agency and political
88 subdivision for purposes of paragraph (a). From the time a
89 disclosure is made under paragraph (a) through the term of any
90 awarded state grant or contract, the entity must revise its
91 disclosure within 30 days after entering into a contract with or
92 receiving a grant or gift from a foreign country of concern or
93 within 30 days after the acquisition of any interest in the
94 entity by a foreign country of concern.

95 (4) At least once every 5 years, the Department of
96 Management Services shall screen each vendor of commodities
97 participating in the online procurement system if such vendor
98 has the capacity to fill an order of \$100,000 or more. Screening



116096

99 must be conducted through federal agencies responsible for
100 identifying persons and organizations subject to trade
101 sanctions, embargoes, or other restrictions under federal law.
102 If a vendor is identified as being subject to any such
103 sanctions, embargoes, or other restrictions, the vendor must
104 make the disclosures required under subsection (3) until such
105 restriction expires. A notification regarding the applicability
106 of the disclosure requirement in subsection (3) to the vendor
107 must be included on the online procurement system when
108 applicable. The Department of Management Services must ensure
109 that purchasers through the online procurement system may easily
110 access all disclosures made by vendors participating in the
111 system.

112 (5) The Department of Financial Services must establish and
113 maintain an Internet website to publish the disclosures required
114 under this section. The Department of Financial Services may
115 establish an online system for making such disclosures. The
116 Department of Management Services may coordinate with the
117 Department of Financial Services to establish the online system.

118 (6) (a) Upon receiving a referral from an inspector general
119 or other compliance officer of a state agency or political
120 subdivision or any sworn complaint based upon substantive
121 information and reasonable belief, the Department of Financial
122 Services must investigate an allegation of a violation of this
123 section.

124 (b) The Department of Financial Services, an inspector
125 general, or any other agent or compliance officer authorized by
126 a state agency or political subdivision may request records
127 relevant to any reasonable suspicion of a violation of this



116096

128 section. An entity must provide the required records within 30
129 days after such request or at a later time agreed to by the
130 investigating state agency or political subdivision.

131 (7) (a) Failure to make a disclosure required under this
132 section or failure to provide records requested under paragraph
133 (6) (b) constitutes a civil violation punishable upon a final
134 order of the Department of Financial Services by an
135 administrative fine of \$5,000 for a first violation or \$10,000
136 for any subsequent violation.

137 (b) In addition to any fine assessed under paragraph (a), a
138 final order determining a third or subsequent violation by a
139 state agency or political subdivision must include a
140 determination of the identity of the officer responsible for
141 acceptance of the undisclosed grant or gift. Such order must
142 also include a referral by the Department of Financial Services
143 to the Governor or other officer authorized to suspend or remove
144 the officer responsible for acceptance of the undisclosed grant
145 or gift from public office. A copy of such referral must be
146 provided to the President of the Senate and the Speaker of the
147 House of Representatives for oversight of such suspension and
148 removal authority.

149 (c) In addition to any fine assessed under paragraph (a), a
150 final order determining a third or subsequent violation by an
151 entity other than a state agency or political subdivision shall
152 automatically disqualify the entity from eligibility for any
153 grant or contract funded by a state agency or any political
154 subdivision until such ineligibility is lifted by the
155 Administration Commission for good cause. The Department of
156 Financial Services shall include and maintain an active and



116096

157 current list of such ineligible entities on the Internet website
158 maintained under subsection (5).

159 (8) Information disclosed under subsections (2) and (3) is
160 not confidential or exempt from s. 119.07(1) and s. 24(a), Art.
161 I of the State Constitution.

162 (9) (a) The Department of Management Services may adopt
163 rules necessary to carry out its responsibilities under this
164 section. The rules may identify the federal agencies to be
165 consulted under subsection (4) and the procedure for notifying a
166 vendor of the disclosure requirements under this section when
167 applicable. The Department of Management Services may also adopt
168 rules providing for the application of this section to the
169 online procurement system.

170 (b) The Department of Financial Services may adopt rules
171 necessary to carry out its responsibilities under this section.

172 (c) Any rules necessary to implement this section must be
173 published by December 31, 2021, unless the applicable department
174 head certifies in writing that a delay is necessary and the date
175 by which the proposed rules will be published. Such
176 certification must be published in the Florida Administrative
177 Register and a copy provided to the Joint Administrative
178 Procedures Committee.

179 Section 2. Section 288.860, Florida Statutes, is created to
180 read:

181 288.860 International cultural agreements.-

182 (1) As used in this section, the term:

183 (a) "Foreign country of concern" means the People's
184 Republic of China, the Russian Federation, the Islamic Republic
185 of Iran, the Democratic People's Republic of Korea, the Republic



116096

186 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian
187 Arab Republic, including any agency of or any other entity under
188 significant control of such foreign country of concern.

189 (b) "Political subdivision" has the same meaning as in s.
190 1.01(8) and includes any entity under the control of or
191 established for the benefit of the political subdivision.

192 (c) "Public school" means any education institution under
193 the supervision of a school district and any entity under the
194 control of or established for the benefit of a public school or
195 school district.

196 (d) "State agency" means any agency or unit of state
197 government created or established by law and any entity under
198 the control of or established for the benefit of a state agency.

199 (e) "State college" means any postsecondary education
200 institution under the supervision of the State Board of
201 Education, including any entity under the control of or
202 established for the benefit of a state college.

203 (f) "State university" means any state university under the
204 supervision of the Board of Governors, including any entity
205 under the control of or established for the benefit of a state
206 university.

207 (2) A state agency, political subdivision, public school,
208 state college, or state university authorized to expend state-
209 appropriated funds or levy ad valorem taxes may not participate
210 in any agreement with or accept any grant from a foreign country
211 of concern, or any entity controlled by a foreign country of
212 concern, which:

213 (a) Constrains the freedom of contract of such public
214 entity;



116096

215 (b) Allows the curriculum or values of a program in the
216 state to be directed or controlled by the foreign country of
217 concern; or

218 (c) Promotes an agenda detrimental to the safety or
219 security of the United States or its residents. Prior to the
220 execution of any cultural exchange agreement with a foreign
221 country of concern, the substance of the agreement shall be
222 shared with federal agencies concerned with protecting national
223 security or enforcing trade sanctions, embargoes, or other
224 restrictions under federal law. If such federal agency provides
225 information suggesting that such agreement promotes an agenda
226 detrimental to the safety or security of the United States or
227 its residents, the public entity may not enter into the
228 agreement.

229 (3) A state agency, political subdivision, public school,
230 state college, or state university may not accept anything of
231 value conditioned upon participation in a program or other
232 endeavor to promote the language or culture of a foreign country
233 of concern.

234 Section 3. Section 1010.25, Florida Statutes, is created to
235 read:

236 1010.25 Foreign gift reporting.—

237 (1) As used in this section, the term:

238 (a) "Affiliate organization" means any entity under the
239 control of or established for the benefit of an organization
240 required to report under this section, including a direct-
241 support organization.

242 (b) "Contract" means any agreement for the acquisition by
243 purchase, lease, or barter of property or services by the



116096

244 foreign source, for the direct benefit or use of either of the
245 parties, and any purchase, lease, or barter of property or
246 services from a foreign country of concern as defined in s.
247 286.101(1)(b).

248 (c) "Direct-support organization" has the same meaning as
249 provided in ss. 1004.28(1)(a), 1004.70(1)(a), and 1004.71(1)(a).

250 (d) "Foreign government" means the government of any
251 country, nation, or group of nations, or any province or other
252 political subdivision of any country or nation, other than the
253 government of the United States or the government of a state or
254 political subdivision, including any agent of such foreign
255 government.

256 (e) "Foreign source" means any of the following:

257 1. A foreign government or an agency of a foreign
258 government.

259 2. A legal entity, governmental or otherwise, created
260 solely under the laws of a foreign state or states.

261 3. An individual who is not a citizen or a national of the
262 United States or a territory or protectorate of the United
263 States.

264 4. An agent, including a subsidiary or an affiliate of a
265 foreign legal entity, acting on behalf of a foreign source.

266 (f) "Gift" means any contract, gift, grant, endowment,
267 award, or donation of money or property of any kind, or any
268 combination thereof, including a conditional or an unconditional
269 pledge of such contract, gift, grant, endowment, award, or
270 donation. For purposes of this paragraph, the term "pledge"
271 means a promise, an agreement, or an expressed intention to give
272 a gift.



116096

273 (g) "Institution of higher education" means a state
274 university, an entity listed in subpart B of part II of chapter
275 1004 that has its own governing board, a Florida College System
276 institution, an independent nonprofit college or university that
277 is located in and chartered by the state and grants
278 baccalaureate or higher degrees, any other institution that has
279 a physical presence in the state and is required to report
280 foreign gifts or contracts pursuant to 20 U.S.C. s. 1011f, or an
281 affiliate organization of an institution of higher education.

282 (2) Each institution of higher education must semiannually
283 report, each January 31 and July 31, any gift received directly
284 or indirectly from a foreign source with a value of \$50,000 or
285 more during the fiscal year. If a foreign source provides more
286 than one gift directly or indirectly to an institution of higher
287 education in a single fiscal year and the total value of those
288 gifts is \$50,000 or more, all gifts received from that foreign
289 source must be reported. For purposes of this subsection, a gift
290 received from a foreign source through an intermediary shall be
291 considered an indirect gift to the institution of higher
292 education. An institution of higher education may consolidate
293 its report with that of all its affiliate organizations. A
294 report required under this subsection must be made to the
295 following entities:

296 (a) The Board of Governors, if the recipient is a state
297 university, an entity listed in subpart B of part II of chapter
298 1004 that has its own governing board, or an affiliate
299 organization of such university or entity.

300 (b) Unless already reported to the Board of Governors
301 pursuant to paragraph (a), the State Board of Education, if the



116096

302 recipient is any other institution of higher education or an
303 affiliate organization of such institution.

304 (3) For each gift subject to the reporting requirement in
305 subsection (2), the report of the institution of higher
306 education must provide all of the following information, unless
307 otherwise prohibited or deemed confidential under federal law
308 having no exemption applicable to such reporting:

309 (a) The amount of the gift and the date it was received.

310 (b) The contract start and end date if the gift is a
311 contract.

312 (c) The name of the foreign source and, if not a foreign
313 government, the country of citizenship, if known, and the
314 country of principal residence or domicile of the foreign
315 source.

316 (d)1. A copy of a gift agreement between the foreign source
317 and the institution of higher education, signed by the foreign
318 source and the chief administrative officer of the institution
319 of higher education, or their respective designees, which must
320 include a detailed description of the purpose for which the gift
321 will be used by the institution of higher education, the
322 identification of the persons for whom the gift is explicitly
323 intended to benefit, and any applicable conditions,
324 requirements, restrictions, or terms made a part of the gift
325 regarding the control of curricula, faculty, student admissions,
326 student fees, or contingencies placed upon the institution of
327 higher education to take a specific public position or to award
328 an honorary degree. With respect to an agreement containing
329 information protected from disclosure under s. 1004.22(2), an
330 abstract and redacted copy providing all required information



116096

331 that is not so protected may be submitted in lieu of a copy of
332 the agreement.

333 2. Beginning July 1, 2022, the Inspector General of the
334 Board of Governors or the Inspector General of the Department of
335 Education, as applicable, shall annually, within existing
336 resources, randomly inspect or audit at least 5 percent of the
337 total number of gifts disclosed by or gift agreements received
338 from institutions of higher education pursuant to this paragraph
339 during the previous year to determine an institution's
340 compliance with the requirements of this section with respect to
341 the gifts and gift agreements reviewed.

342 3. Upon the request of the Governor, the President of the
343 Senate, or the Speaker of the House of Representatives, the
344 Inspector General of the Board of Governors or the Inspector
345 General of the Department of Education, as applicable, must
346 inspect or audit a gift or gift agreement.

347 (4) The State Board of Education or the Board of Governors,
348 as applicable, shall exercise the authority provided pursuant to
349 s. 1008.32 or s. 1008.322, respectively, to sanction an
350 institution of higher education that fails to report a
351 reportable gift within 60 days after the reporting deadlines
352 established in subsection (2).

353 (5) (a) An institution of higher education that knowingly,
354 willfully, or negligently fails to disclose the information
355 required by this section shall be subject to a civil penalty of
356 105 percent of the amount of the undisclosed gift, payable only
357 from nonstate funds of the institution of higher education or
358 the affiliate organization that received such gift. The
359 recovered funds must be deposited into the General Revenue Fund.



116096

360 The Board of Governors and the State Board of Education, as
361 applicable, may administratively enforce this section and impose
362 the civil penalty as an administrative penalty.

363 (b) In the absence of enforcement by the Board of Governors
364 or the State Board of Education, as applicable, the Attorney
365 General or the Chief Financial Officer may bring a civil action
366 to enforce this section. If such action is successful, the
367 Attorney General or the Chief Financial Officer, as applicable,
368 is entitled to reasonable attorney fees and costs.

369 (c) A whistle-blower who reports an undisclosed foreign
370 gift to the appropriate inspector general may also report such
371 undisclosed foreign gift to the Attorney General or the Chief
372 Financial Officer and retain whistle-blower protection under s.
373 112.3188. Such whistle-blower shall be entitled to receive a
374 reward in the amount of 25 percent of any penalty recovered by
375 the Board of Governors, the State Board of Education, the
376 Attorney General, or the Chief Financial Officer under this
377 section. The Chief Financial Officer is authorized to incur
378 expenditures to provide such reward from the penalty recovery.
379 The reward may be paid through an intermediary attorney or
380 trustee designated by the whistle-blower.

381 (6) Information reported under subsection (3) is not
382 confidential or exempt from s. 119.07(1) and s. 24(a), Art. I of
383 the State Constitution, except as provided in s. 1004.22(2) or
384 unless protected by any statute as a trade secret as defined in
385 s. 688.002 or s. 812.081(1)(c).

386 (7) The Board of Governors may adopt regulations, and the
387 State Board of Education may adopt rules, to implement this
388 section.



116096

389 Section 4. Section 1010.35, Florida Statutes, is created to
390 read:

391 1010.35 Screening foreign researchers.—

392 (1) Each state university or entity listed in subpart A or
393 subpart B of part II of chapter 1004 that receives state
394 appropriations or state tax revenue and has a research budget of
395 \$10 million or more must screen applicants seeking employment in
396 research or research-related support positions, graduate and
397 undergraduate students applying for research or research-related
398 support positions, and applicants for positions of visiting
399 researcher who are citizens of a foreign country and who are not
400 permanent residents of the United States, or who are citizens or
401 permanent residents of the United States who have any
402 affiliation with an institution or program, or at least 1 year
403 of prior employment or training, excepting employment or
404 training by an agency of the United States government, in a
405 foreign country of concern as defined in s. 286.101. Such
406 screening is required prior to interviewing such applicant or
407 offering to such applicant a position of employment or of
408 visiting researcher. At the discretion of the university or
409 entity, other applicants for such positions may be screened.

410 (2) In addition to satisfying all employment and enrollment
411 qualifications imposed by federal law, the Board of Governors or
412 the governing board of the applicable entity must require the
413 following of applicants included in subsection (1):

414 (a) A foreign applicant must submit a complete copy of the
415 applicant's passport and most recently submitted Online
416 Nonimmigrant Visa Application, DS-160. After extraction of all
417 information relevant to the requirements of this section, a



116096

418 university or entity may destroy or return the copy of the DS-
419 160 submitted by an applicant.

420 (b) All applicants described in subsection (1) must submit
421 a complete resume and curriculum vitae, including every
422 institution of higher education attended; all previous
423 employment since the applicant's 18th birthday; a list of all
424 published material for which the applicant received credit as an
425 author, a researcher, or otherwise or to which the applicant
426 contributed significant research, writing, or editorial support;
427 a list of the applicant's current and pending research funding
428 from any source, including funder, amount, applicant's role on
429 the project, and brief description of the research; and a full
430 disclosure of nonuniversity professional activities, including
431 any affiliation with an institution or program in a foreign
432 country of concern. For applicants who have been continually
433 employed or enrolled in a postsecondary education institution in
434 the United States for 20 years or more, the resume may, but need
435 not, include employment history before the most recent 20 years.

436 (3) The president or chief administrative officer of the
437 state university or applicable entity shall designate a research
438 integrity office to review all materials required in subsection
439 (2) and take reasonable steps to verify all attendance,
440 employment, publications, and contributions listed in the
441 application required in subsection (2) prior to any interview of
442 or offer of a position to the applicant. Reasonable steps
443 include searching public databases for research publications and
444 presentations and public conflict of interest records to
445 identify any research publication or presentation that may have
446 been omitted from the application, contacting all employers of



116096

447 the most recent 10 years to verify employment, contacting all
448 institutions of higher education attended to verify enrollment
449 and educational progress, searching public listings of persons
450 subject to sanctions or restrictions under federal law,
451 submitting the applicant's name and other identifying
452 information to the Federal Bureau of Investigation or any
453 federal agency reasonably willing to scrutinize such applicant
454 for national security or counterespionage purposes, and any
455 other steps deemed appropriate to the office. The state
456 university or applicable entity may also direct the office to
457 approve applicants for hire based on a risk-based determination
458 considering the nature of the research and the background and
459 ongoing affiliations of the applicant.

460 (4) The requirements of this section must be completed
461 before interviewing or offering any position to an individual
462 described in subsection (1) in any research or research-related
463 support position and before granting such individual any access
464 to research data or activities or other sensitive data. An
465 applicant who must be screened under this section may not be
466 employed in any research or research-related support position if
467 he or she fails to disclose a substantial educational,
468 employment, or research-related activity or publication or
469 presentation at the time of submitting the application required
470 in subsection (2), unless the department head, or a designee,
471 certifies in writing the substance of the nondisclosure and the
472 reasons for disregarding such failure to disclose. A copy of
473 such certification must be kept in the investigative file of the
474 research integrity office and must be submitted to the nearest
475 Federal Bureau of Investigation field office.



116096

476 (5) The research integrity office must report to the
477 nearest Federal Bureau of Investigation field office, and to any
478 law enforcement agency designated by the Governor or the Board
479 of Governors and the governing board of the applicable entity
480 described in subsection (1), the identity of any applicant who
481 was rejected for employment based on the scrutiny required by
482 this section or other risk-based screening.

483 (6) By July 1, 2025, the Inspector General of the Board of
484 Governors, the inspector general of an entity described in
485 subsection (1), or the Auditor General must perform an
486 operational audit regarding the implementation of this section.

487 Section 5. Section 1010.36, Florida Statutes, is created to
488 read:

489 1010.36 Foreign travel; research institutions.-

490 (1) By January 1, 2022, each state university or entity
491 listed in subpart A or subpart B of part II of chapter 1004 that
492 receives state appropriations or state tax revenue and has a
493 research budget of \$10 million or more must establish an
494 international travel approval and monitoring program. The
495 program must require preapproval and screening by a research
496 integrity office designated by the president or chief
497 administrative officer of the state university or entity for any
498 employment-related foreign travel and employment-related foreign
499 activities engaged in by all faculty, researchers, and research
500 department staff. Such requirement is in addition to any other
501 travel approval process applicable to the state university or
502 entity.

503 (2) (a) Preapproval by the research integrity office must be
504 based on the applicant's review and acknowledgement of guidance



116096

505 published by the employing state university or entity which
506 relates to countries under sanctions or other restrictions of
507 the state or the United States government, including any federal
508 license requirement; customs rules; export controls;
509 restrictions on taking state university or entity property,
510 including intellectual property, abroad; restrictions on
511 presentations, teaching, and interactions with foreign
512 colleagues; and other subjects important to the research and
513 academic integrity of the state university or entity.

514 (b) Preapproval must be based on the binding commitment of
515 the individual traveler not to violate the state university's or
516 entity's limitations on travel and activities abroad and to obey
517 all applicable federal laws.

518 (3) The state university or entity must maintain records of
519 all foreign travel requests and approvals; expenses reimbursed
520 by the university or entity during such travel, including for
521 travel, food, and lodging; and payments and honoraria received
522 during such travel and activities, including for travel, food,
523 and lodging. The state university or entity must also keep
524 records of the purpose of the travel and any records related to
525 the foreign activity review. Such records must be retained for
526 at least 3 years or any longer period of time required by any
527 other applicable state or federal law.

528 (4) The state university or entity must provide an annual
529 report of foreign travel to countries of concern listing
530 individual travelers, foreign locations visited, and foreign
531 institutions visited to the Board of Governors or the governing
532 board of the applicable entity.

533 (5) By July 1, 2025, the Inspector General of the Board of



116096

534 Governors, the inspector general of an entity described in
535 subsection (1), or the Auditor General must perform an
536 operational audit regarding the implementation of this section.

537 Section 6. This act shall take effect July 1, 2021.

538

539 ===== T I T L E A M E N D M E N T =====

540 And the title is amended as follows:

541 Delete everything before the enacting clause

542 and insert:

543

A bill to be entitled

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An act relating to foreign influence; creating s.

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286.101, F.S.; providing definitions; requiring any

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state agency or political subdivision to disclose

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certain gifts or grants received from any foreign

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source to the Department of Financial Services within

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a specified timeframe; providing an exception;

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requiring any entity that applies for a certain grant

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or proposes a certain contract to disclose to a state

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agency or political subdivision any current or prior

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interest of, contract with, or grant or gift received

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from a foreign country of concern under certain

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circumstances; specifying information to be included

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in the disclosure; requiring such entity to provide a

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copy of such disclosure to the department within a

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specified timeframe before applying for any grant or

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proposing any contract; requiring such entity to

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revise its disclosure within a specified timeframe

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under certain circumstances; providing exceptions to

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disclosure requirements; requiring the Department of



116096

563 Management Services to periodically screen certain
564 vendors; requiring certain notification on the online
565 procurement system; requiring the Department of
566 Financial Services to establish and maintain an
567 Internet website to publish the disclosures;
568 authorizing the department to establish an online
569 system for making such disclosures; authorizing the
570 Department of Management Services to coordinate with
571 the Department of Financial Services to establish such
572 online system; requiring the Department of Financial
573 Services to investigate allegations of certain
574 violations under certain circumstances; authorizing
575 the department or specified persons to request certain
576 records; providing for the assessment of fines and
577 penalties under certain circumstances; requiring the
578 department to include and maintain a list of
579 ineligible entities on a certain Internet website;
580 providing that certain information relating to a gift
581 or grant from a foreign source is not confidential or
582 exempt from public records requirements; authorizing
583 rulemaking; creating s. 288.860, F.S.; providing
584 definitions; prohibiting certain agencies and entities
585 from participating in agreements with or accepting
586 grants received from foreign countries of concern
587 under certain circumstances; prohibiting such agencies
588 and entities from accepting anything of value as a
589 condition for participation in certain programs or
590 endeavors that promote the language or culture of
591 foreign countries of concern; creating s. 1010.25,



116096

592 F.S.; providing definitions; requiring institutions of
593 higher education to semiannually report to certain
594 entities regarding certain gifts they received
595 directly or indirectly from a foreign source;
596 authorizing the report to be consolidated with
597 affiliate organizations; requiring such institutions
598 to provide certain information regarding such gifts;
599 requiring random annual inspections or audits of gifts
600 or gift agreements by certain inspectors general;
601 providing requirements for such inspections or audits;
602 requiring the Board of Governors or State Board of
603 Education, as applicable, to sanction institutions
604 that fail to report certain gifts within a specified
605 timeframe; providing for a civil penalty for willful
606 violations; requiring that the proceeds from such
607 penalty be deposited in a specified fund; authorizing
608 the Attorney General or the Chief Financial Officer to
609 bring a civil action under certain circumstances;
610 providing for attorney fees and costs; authorizing a
611 whistle-blower to report an undisclosed foreign gift
612 to the Attorney General or the Chief Financial
613 Officer; providing that such whistle-blower retains
614 certain protections and is entitled to a reward;
615 authorizing the Chief Financial Officer to incur
616 expenditures to provide such reward from the penalty
617 recovery; authorizing payment of such reward through
618 an intermediary attorney or trustee designated by the
619 whistle-blower; providing that certain information
620 relating to a gift from a foreign source is not



116096

621 confidential or exempt from public records
622 requirements; providing exceptions; authorizing the
623 Board of Governors and State Board of Education to
624 adopt regulations and rules, respectively; creating s.
625 1010.35, F.S.; requiring certain state universities
626 and other entities to screen certain foreign
627 applicants seeking employment in specified research
628 positions; requiring such applicants to provide
629 additional specified information as part of the
630 application process; requiring screening to be
631 completed before an interview or offer of employment;
632 requiring the president or chief administrative
633 officer of the state university or entity to designate
634 a research integrity office to verify certain
635 information contained in such applications, search
636 certain public databases, and submit certain
637 information to specified federal agencies; specifying
638 the conditions under which a state university may
639 approve a hire based on a risk-based determination;
640 prohibiting the employment of an applicant who fails
641 to make certain disclosures; providing an exception;
642 requiring certain records to be maintained by the
643 research integrity office; requiring such office to
644 report the identity of any applicant who was rejected
645 for employment to certain law enforcement agencies;
646 requiring certain inspectors general or the Auditor
647 General to perform an operational audit by a specified
648 date; creating s. 1010.36, F.S.; requiring certain
649 state universities and other entities to establish an



116096

650 international travel approval and monitoring program;
651 providing requirements for such program; providing
652 requirements for preapproval and screening for
653 employment-related foreign travel and employment-
654 related foreign activities engaged in by faculty,
655 researchers, and research department staff; requiring
656 state universities and entities to maintain certain
657 records relating to foreign travel and activities for
658 at least 3 years; requiring a state university or
659 entity to provide a certain annual report to the Board
660 of Governors or the governing board of the applicable
661 entity; requiring certain inspectors general or the
662 Auditor General to perform an operational audit by a
663 specified date; providing an effective date.