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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/17/2021	.	
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The Committee on Appropriations (Diaz) recommended 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



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11 for the sale of commodities or services.

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



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40 of the entity's net worth or any form of direct or indirect  
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



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69 holder. Within 1 year before applying for any grant or proposing  
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



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98 has the capacity to fill an order of \$100,000 or more. Screening  
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



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127 relevant to any reasonable suspicion of a violation of this  
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



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156 Financial Services shall include and maintain an active and  
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



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185 of Iran, the Democratic People's Republic of Korea, the Republic  
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





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214 entity;

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



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243 purchase, lease, or barter of property or services by the  
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



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272 a gift.

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  
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



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330 abstract and redacted copy providing all required information  
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



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359 recovered funds must be deposited into the General Revenue Fund.  
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



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388 section.

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



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417 information relevant to the requirements of this section, a  
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





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446 been omitted from the application, contacting all employers of  
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



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475 Federal Bureau of Investigation field office.

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



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504 based on the applicant's review and acknowledgement of guidance  
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.



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533           (5) By July 1, 2025, the Inspector General of the Board of  
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  
544           An act relating to foreign influence; creating s.  
545           286.101, F.S.; providing definitions; requiring any  
546           state agency or political subdivision to disclose  
547           certain gifts or grants received from any foreign  
548           source to the Department of Financial Services within  
549           a specified timeframe; providing an exception;  
550           requiring any entity that applies for a certain grant  
551           or proposes a certain contract to disclose to a state  
552           agency or political subdivision any current or prior  
553           interest of, contract with, or grant or gift received  
554           from a foreign country of concern under certain  
555           circumstances; specifying information to be included  
556           in the disclosure; requiring such entity to provide a  
557           copy of such disclosure to the department within a  
558           specified timeframe before applying for any grant or  
559           proposing any contract; requiring such entity to  
560           revise its disclosure within a specified timeframe  
561           under certain circumstances; providing exceptions to



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562 disclosure requirements; requiring the Department of  
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



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591 foreign countries of concern; creating s. 1010.25,  
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



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620 relating to a gift from a foreign source is not  
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



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649 state universities and other entities to establish an  
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.