

By the Committees on Appropriations; and Education; and Senator Diaz

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1 A bill to be entitled
2 An act relating to foreign influence; creating s.
3 286.101, F.S.; providing definitions; requiring any
4 state agency or political subdivision to disclose
5 certain gifts or grants received from any foreign
6 source to the Department of Financial Services within
7 a specified timeframe; providing an exception;
8 requiring any entity that applies for a certain grant
9 or proposes a certain contract to disclose to a state
10 agency or political subdivision any current or prior
11 interest of, contract with, or grant or gift received
12 from a foreign country of concern under certain
13 circumstances; specifying information to be included
14 in the disclosure; requiring such entity to provide a
15 copy of such disclosure to the department within a
16 specified timeframe before applying for any grant or
17 proposing any contract; requiring such entity to
18 revise its disclosure within a specified timeframe
19 under certain circumstances; providing exceptions to
20 disclosure requirements; requiring the Department of
21 Management Services to periodically screen certain
22 vendors; requiring certain notification on the online
23 procurement system; requiring the Department of
24 Financial Services to establish and maintain an
25 Internet website to publish the disclosures;
26 authorizing the department to establish an online
27 system for making such disclosures; authorizing the
28 Department of Management Services to coordinate with
29 the Department of Financial Services to establish such

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30 online system; requiring the Department of Financial
31 Services to investigate allegations of certain
32 violations under certain circumstances; authorizing
33 the department or specified persons to request certain
34 records; providing for the assessment of fines and
35 penalties under certain circumstances; requiring the
36 department to include and maintain a list of
37 ineligible entities on a certain Internet website;
38 providing that certain information relating to a gift
39 or grant from a foreign source is not confidential or
40 exempt from public records requirements; authorizing
41 rulemaking; creating s. 288.860, F.S.; providing
42 definitions; prohibiting certain agencies and entities
43 from participating in agreements with or accepting
44 grants received from foreign countries of concern
45 under certain circumstances; prohibiting such agencies
46 and entities from accepting anything of value as a
47 condition for participation in certain programs or
48 endeavors that promote the language or culture of
49 foreign countries of concern; creating s. 1010.25,
50 F.S.; providing definitions; requiring institutions of
51 higher education to semiannually report to certain
52 entities regarding certain gifts they received
53 directly or indirectly from a foreign source;
54 authorizing the report to be consolidated with
55 affiliate organizations; requiring such institutions
56 to provide certain information regarding such gifts;
57 requiring random annual inspections or audits of gifts
58 or gift agreements by certain inspectors general;

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59 providing requirements for such inspections or audits;
60 requiring the Board of Governors or State Board of
61 Education, as applicable, to sanction institutions
62 that fail to report certain gifts within a specified
63 timeframe; providing for a civil penalty for willful
64 violations; requiring that the proceeds from such
65 penalty be deposited in a specified fund; authorizing
66 the Attorney General or the Chief Financial Officer to
67 bring a civil action under certain circumstances;
68 providing for attorney fees and costs; authorizing a
69 whistle-blower to report an undisclosed foreign gift
70 to the Attorney General or the Chief Financial
71 Officer; providing that such whistle-blower retains
72 certain protections and is entitled to a reward;
73 authorizing the Chief Financial Officer to incur
74 expenditures to provide such reward from the penalty
75 recovery; authorizing payment of such reward through
76 an intermediary attorney or trustee designated by the
77 whistle-blower; providing that certain information
78 relating to a gift from a foreign source is not
79 confidential or exempt from public records
80 requirements; providing exceptions; authorizing the
81 Board of Governors and State Board of Education to
82 adopt regulations and rules, respectively; creating s.
83 1010.35, F.S.; requiring certain state universities
84 and other entities to screen certain foreign
85 applicants seeking employment in specified research
86 positions; requiring such applicants to provide
87 additional specified information as part of the

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88 application process; requiring screening to be
89 completed before an interview or offer of employment;
90 requiring the president or chief administrative
91 officer of the state university or entity to designate
92 a research integrity office to verify certain
93 information contained in such applications, search
94 certain public databases, and submit certain
95 information to specified federal agencies; specifying
96 the conditions under which a state university may
97 approve a hire based on a risk-based determination;
98 prohibiting the employment of an applicant who fails
99 to make certain disclosures; providing an exception;
100 requiring certain records to be maintained by the
101 research integrity office; requiring such office to
102 report the identity of any applicant who was rejected
103 for employment to certain law enforcement agencies;
104 requiring certain inspectors general or the Auditor
105 General to perform an operational audit by a specified
106 date; creating s. 1010.36, F.S.; requiring certain
107 state universities and other entities to establish an
108 international travel approval and monitoring program;
109 providing requirements for such program; providing
110 requirements for preapproval and screening for
111 employment-related foreign travel and employment-
112 related foreign activities engaged in by faculty,
113 researchers, and research department staff; requiring
114 state universities and entities to maintain certain
115 records relating to foreign travel and activities for
116 at least 3 years; requiring a state university or

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117 entity to provide a certain annual report to the Board
118 of Governors or the governing board of the applicable
119 entity; requiring certain inspectors general or the
120 Auditor General to perform an operational audit by a
121 specified date; providing an effective date.

122
123 Be It Enacted by the Legislature of the State of Florida:

124
125 Section 1. Section 286.101, Florida Statutes, is created to
126 read:

127 286.101 Foreign gifts and contracts.-

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

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

132 (b) "Foreign country of concern" means the People's
133 Republic of China, the Russian Federation, the Islamic Republic
134 of Iran, the Democratic People's Republic of Korea, the Republic
135 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian
136 Arab Republic, including any agency of or any other entity under
137 significant control of such foreign country of concern.

138 (c) "Foreign government" means the government of any
139 country, nation, or group of nations, or any province or other
140 political subdivision of any country or nation, other than the
141 government of the United States or the government of a state or
142 political subdivision, including any agent of such foreign
143 government.

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

145 1. A foreign government or an agency of a foreign

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146 government.

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

149 3. An individual who is not a citizen or a national of the
150 United States or a territory or protectorate of the United
151 States.

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

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

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

158 (g) "Interest" in an entity means any direct or indirect
159 investment in or loan to the entity valued at 5 percent or more
160 of the entity's net worth or any form of direct or indirect
161 control exerting similar or greater influence on the governance
162 of the entity.

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

165 (2) Any state agency or political subdivision that receives
166 directly or indirectly any gift or grant with a value of \$50,000
167 or more from any foreign source shall disclose such gift or
168 grant to the Department of Financial Services within 30 days
169 after receiving such gift or grant. Such disclosure shall
170 include the date of the gift or grant, the amount of the gift or
171 grant, and the name and country of residence or domicile of the
172 foreign source. Disclosure is not required if such gift or grant
173 is disclosed under s. 1010.25.

174 (3) (a) Any entity that applies to a state agency or

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175 political subdivision for a grant or proposes a contract having
176 a value of \$100,000 or more shall disclose to the state agency
177 or political subdivision any current or prior interest of, any
178 contract with, or any grant or gift received from a foreign
179 country of concern if such interest, contract, or grant or gift
180 has a value of \$50,000 or more and such interest existed at any
181 time or such contract or grant or gift was received or in force
182 at any time during the previous 5 years. Such disclosure shall
183 include the name and mailing address of the disclosing entity,
184 the amount of the contract or grant or gift or the value of the
185 interest disclosed, the applicable foreign country of concern
186 and, if applicable, the date of termination of the contract or
187 interest, the date of receipt of the grant or gift, and the name
188 of the agent or controlled entity that is the source or interest
189 holder. Within 1 year before applying for any grant or proposing
190 any contract, such entity must provide a copy of such disclosure
191 to the Department of Financial Services.

192 (b) Disclosure under this subsection is not required with
193 respect to:

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

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

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

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

203 5. An application or proposal from a public or not-for-

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204 profit research institution with respect to research funded by
205 any federal agency.

206 (c) A disclosure published online pursuant to subsection
207 (5) is deemed disclosed to every state agency and political
208 subdivision for purposes of paragraph (a). From the time a
209 disclosure is made under paragraph (a) through the term of any
210 awarded state grant or contract, the entity must revise its
211 disclosure within 30 days after entering into a contract with or
212 receiving a grant or gift from a foreign country of concern or
213 within 30 days after the acquisition of any interest in the
214 entity by a foreign country of concern.

215 (4) At least once every 5 years, the Department of
216 Management Services shall screen each vendor of commodities
217 participating in the online procurement system if such vendor
218 has the capacity to fill an order of \$100,000 or more. Screening
219 must be conducted through federal agencies responsible for
220 identifying persons and organizations subject to trade
221 sanctions, embargoes, or other restrictions under federal law.
222 If a vendor is identified as being subject to any such
223 sanctions, embargoes, or other restrictions, the vendor must
224 make the disclosures required under subsection (3) until such
225 restriction expires. A notification regarding the applicability
226 of the disclosure requirement in subsection (3) to the vendor
227 must be included on the online procurement system when
228 applicable. The Department of Management Services must ensure
229 that purchasers through the online procurement system may easily
230 access all disclosures made by vendors participating in the
231 system.

232 (5) The Department of Financial Services must establish and

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233 maintain an Internet website to publish the disclosures required
234 under this section. The Department of Financial Services may
235 establish an online system for making such disclosures. The
236 Department of Management Services may coordinate with the
237 Department of Financial Services to establish the online system.

238 (6) (a) Upon receiving a referral from an inspector general
239 or other compliance officer of a state agency or political
240 subdivision or any sworn complaint based upon substantive
241 information and reasonable belief, the Department of Financial
242 Services must investigate an allegation of a violation of this
243 section.

244 (b) The Department of Financial Services, an inspector
245 general, or any other agent or compliance officer authorized by
246 a state agency or political subdivision may request records
247 relevant to any reasonable suspicion of a violation of this
248 section. An entity must provide the required records within 30
249 days after such request or at a later time agreed to by the
250 investigating state agency or political subdivision.

251 (7) (a) Failure to make a disclosure required under this
252 section or failure to provide records requested under paragraph
253 (6) (b) constitutes a civil violation punishable upon a final
254 order of the Department of Financial Services by an
255 administrative fine of \$5,000 for a first violation or \$10,000
256 for any subsequent violation.

257 (b) In addition to any fine assessed under paragraph (a), a
258 final order determining a third or subsequent violation by a
259 state agency or political subdivision must include a
260 determination of the identity of the officer responsible for
261 acceptance of the undisclosed grant or gift. Such order must

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262 also include a referral by the Department of Financial Services
263 to the Governor or other officer authorized to suspend or remove
264 the officer responsible for acceptance of the undisclosed grant
265 or gift from public office. A copy of such referral must be
266 provided to the President of the Senate and the Speaker of the
267 House of Representatives for oversight of such suspension and
268 removal authority.

269 (c) In addition to any fine assessed under paragraph (a), a
270 final order determining a third or subsequent violation by an
271 entity other than a state agency or political subdivision shall
272 automatically disqualify the entity from eligibility for any
273 grant or contract funded by a state agency or any political
274 subdivision until such ineligibility is lifted by the
275 Administration Commission for good cause. The Department of
276 Financial Services shall include and maintain an active and
277 current list of such ineligible entities on the Internet website
278 maintained under subsection (5).

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

282 (9) (a) The Department of Management Services may adopt
283 rules necessary to carry out its responsibilities under this
284 section. The rules may identify the federal agencies to be
285 consulted under subsection (4) and the procedure for notifying a
286 vendor of the disclosure requirements under this section when
287 applicable. The Department of Management Services may also adopt
288 rules providing for the application of this section to the
289 online procurement system.

290 (b) The Department of Financial Services may adopt rules

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291 necessary to carry out its responsibilities under this section.

292 (c) Any rules necessary to implement this section must be
293 published by December 31, 2021, unless the applicable department
294 head certifies in writing that a delay is necessary and the date
295 by which the proposed rules will be published. Such
296 certification must be published in the Florida Administrative
297 Register and a copy provided to the Joint Administrative
298 Procedures Committee.

299 Section 2. Section 288.860, Florida Statutes, is created to
300 read:

301 288.860 International cultural agreements.-

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

303 (a) "Foreign country of concern" means the People's
304 Republic of China, the Russian Federation, the Islamic Republic
305 of Iran, the Democratic People's Republic of Korea, the Republic
306 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian
307 Arab Republic, including any agency of or any other entity under
308 significant control of such foreign country of concern.

309 (b) "Political subdivision" has the same meaning as in s.
310 1.01(8) and includes any entity under the control of or
311 established for the benefit of the political subdivision.

312 (c) "Public school" means any education institution under
313 the supervision of a school district and any entity under the
314 control of or established for the benefit of a public school or
315 school district.

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

319 (e) "State college" means any postsecondary education

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320 institution under the supervision of the State Board of
321 Education, including any entity under the control of or
322 established for the benefit of a state college.

323 (f) "State university" means any state university under the
324 supervision of the Board of Governors, including any entity
325 under the control of or established for the benefit of a state
326 university.

327 (2) A state agency, political subdivision, public school,
328 state college, or state university authorized to expend state-
329 appropriated funds or levy ad valorem taxes may not participate
330 in any agreement with or accept any grant from a foreign country
331 of concern, or any entity controlled by a foreign country of
332 concern, which:

333 (a) Constrains the freedom of contract of such public
334 entity;

335 (b) Allows the curriculum or values of a program in the
336 state to be directed or controlled by the foreign country of
337 concern; or

338 (c) Promotes an agenda detrimental to the safety or
339 security of the United States or its residents. Prior to the
340 execution of any cultural exchange agreement with a foreign
341 country of concern, the substance of the agreement shall be
342 shared with federal agencies concerned with protecting national
343 security or enforcing trade sanctions, embargoes, or other
344 restrictions under federal law. If such federal agency provides
345 information suggesting that such agreement promotes an agenda
346 detrimental to the safety or security of the United States or
347 its residents, the public entity may not enter into the
348 agreement.

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349 (3) A state agency, political subdivision, public school,
350 state college, or state university may not accept anything of
351 value conditioned upon participation in a program or other
352 endeavor to promote the language or culture of a foreign country
353 of concern.

354 Section 3. Section 1010.25, Florida Statutes, is created to
355 read:

356 1010.25 Foreign gift reporting.-

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

358 (a) "Affiliate organization" means any entity under the
359 control of or established for the benefit of an organization
360 required to report under this section, including a direct-
361 support organization.

362 (b) "Contract" means any agreement for the acquisition by
363 purchase, lease, or barter of property or services by the
364 foreign source, for the direct benefit or use of either of the
365 parties, and any purchase, lease, or barter of property or
366 services from a foreign country of concern as defined in s.
367 286.101(1)(b).

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

370 (d) "Foreign government" means the government of any
371 country, nation, or group of nations, or any province or other
372 political subdivision of any country or nation, other than the
373 government of the United States or the government of a state or
374 political subdivision, including any agent of such foreign
375 government.

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

377 1. A foreign government or an agency of a foreign

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378 government.

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

381 3. An individual who is not a citizen or a national of the
382 United States or a territory or protectorate of the United
383 States.

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

386 (f) "Gift" means any contract, gift, grant, endowment,
387 award, or donation of money or property of any kind, or any
388 combination thereof, including a conditional or an unconditional
389 pledge of such contract, gift, grant, endowment, award, or
390 donation. For purposes of this paragraph, the term "pledge"
391 means a promise, an agreement, or an expressed intention to give
392 a gift.

393 (g) "Institution of higher education" means a state
394 university, an entity listed in subpart B of part II of chapter
395 1004 that has its own governing board, a Florida College System
396 institution, an independent nonprofit college or university that
397 is located in and chartered by the state and grants
398 baccalaureate or higher degrees, any other institution that has
399 a physical presence in the state and is required to report
400 foreign gifts or contracts pursuant to 20 U.S.C. s. 1011f, or an
401 affiliate organization of an institution of higher education.

402 (2) Each institution of higher education must semiannually
403 report, each January 31 and July 31, any gift received directly
404 or indirectly from a foreign source with a value of \$50,000 or
405 more during the fiscal year. If a foreign source provides more
406 than one gift directly or indirectly to an institution of higher

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407 education in a single fiscal year and the total value of those
408 gifts is \$50,000 or more, all gifts received from that foreign
409 source must be reported. For purposes of this subsection, a gift
410 received from a foreign source through an intermediary shall be
411 considered an indirect gift to the institution of higher
412 education. An institution of higher education may consolidate
413 its report with that of all its affiliate organizations. A
414 report required under this subsection must be made to the
415 following entities:

416 (a) The Board of Governors, if the recipient is a state
417 university, an entity listed in subpart B of part II of chapter
418 1004 that has its own governing board, or an affiliate
419 organization of such university or entity.

420 (b) Unless already reported to the Board of Governors
421 pursuant to paragraph (a), the State Board of Education, if the
422 recipient is any other institution of higher education or an
423 affiliate organization of such institution.

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

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

430 (b) The contract start and end date if the gift is a
431 contract.

432 (c) The name of the foreign source and, if not a foreign
433 government, the country of citizenship, if known, and the
434 country of principal residence or domicile of the foreign
435 source.

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436 (d)1. A copy of a gift agreement between the foreign source
437 and the institution of higher education, signed by the foreign
438 source and the chief administrative officer of the institution
439 of higher education, or their respective designees, which must
440 include a detailed description of the purpose for which the gift
441 will be used by the institution of higher education, the
442 identification of the persons for whom the gift is explicitly
443 intended to benefit, and any applicable conditions,
444 requirements, restrictions, or terms made a part of the gift
445 regarding the control of curricula, faculty, student admissions,
446 student fees, or contingencies placed upon the institution of
447 higher education to take a specific public position or to award
448 an honorary degree. With respect to an agreement containing
449 information protected from disclosure under s. 1004.22(2), an
450 abstract and redacted copy providing all required information
451 that is not so protected may be submitted in lieu of a copy of
452 the agreement.

453 2. Beginning July 1, 2022, the Inspector General of the
454 Board of Governors or the Inspector General of the Department of
455 Education, as applicable, shall annually, within existing
456 resources, randomly inspect or audit at least 5 percent of the
457 total number of gifts disclosed by or gift agreements received
458 from institutions of higher education pursuant to this paragraph
459 during the previous year to determine an institution's
460 compliance with the requirements of this section with respect to
461 the gifts and gift agreements reviewed.

462 3. Upon the request of the Governor, the President of the
463 Senate, or the Speaker of the House of Representatives, the
464 Inspector General of the Board of Governors or the Inspector

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465 General of the Department of Education, as applicable, must
466 inspect or audit a gift or gift agreement.

467 (4) The State Board of Education or the Board of Governors,
468 as applicable, shall exercise the authority provided pursuant to
469 s. 1008.32 or s. 1008.322, respectively, to sanction an
470 institution of higher education that fails to report a
471 reportable gift within 60 days after the reporting deadlines
472 established in subsection (2).

473 (5) (a) An institution of higher education that knowingly,
474 willfully, or negligently fails to disclose the information
475 required by this section shall be subject to a civil penalty of
476 105 percent of the amount of the undisclosed gift, payable only
477 from nonstate funds of the institution of higher education or
478 the affiliate organization that received such gift. The
479 recovered funds must be deposited into the General Revenue Fund.
480 The Board of Governors and the State Board of Education, as
481 applicable, may administratively enforce this section and impose
482 the civil penalty as an administrative penalty.

483 (b) In the absence of enforcement by the Board of Governors
484 or the State Board of Education, as applicable, the Attorney
485 General or the Chief Financial Officer may bring a civil action
486 to enforce this section. If such action is successful, the
487 Attorney General or the Chief Financial Officer, as applicable,
488 is entitled to reasonable attorney fees and costs.

489 (c) A whistle-blower who reports an undisclosed foreign
490 gift to the appropriate inspector general may also report such
491 undisclosed foreign gift to the Attorney General or the Chief
492 Financial Officer and retain whistle-blower protection under s.
493 112.3188. Such whistle-blower shall be entitled to receive a

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494 reward in the amount of 25 percent of any penalty recovered by
495 the Board of Governors, the State Board of Education, the
496 Attorney General, or the Chief Financial Officer under this
497 section. The Chief Financial Officer is authorized to incur
498 expenditures to provide such reward from the penalty recovery.
499 The reward may be paid through an intermediary attorney or
500 trustee designated by the whistle-blower.

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

506 (7) The Board of Governors may adopt regulations, and the
507 State Board of Education may adopt rules, to implement this
508 section.

509 Section 4. Section 1010.35, Florida Statutes, is created to
510 read:

511 1010.35 Screening foreign researchers.—

512 (1) Each state university or entity listed in subpart A or
513 subpart B of part II of chapter 1004 that receives state
514 appropriations or state tax revenue and has a research budget of
515 \$10 million or more must screen applicants seeking employment in
516 research or research-related support positions, graduate and
517 undergraduate students applying for research or research-related
518 support positions, and applicants for positions of visiting
519 researcher who are citizens of a foreign country and who are not
520 permanent residents of the United States, or who are citizens or
521 permanent residents of the United States who have any
522 affiliation with an institution or program, or at least 1 year

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523 of prior employment or training, excepting employment or
524 training by an agency of the United States government, in a
525 foreign country of concern as defined in s. 286.101. Such
526 screening is required prior to interviewing such applicant or
527 offering to such applicant a position of employment or of
528 visiting researcher. At the discretion of the university or
529 entity, other applicants for such positions may be screened.

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

534 (a) A foreign applicant must submit a complete copy of the
535 applicant's passport and most recently submitted Online
536 Nonimmigrant Visa Application, DS-160. After extraction of all
537 information relevant to the requirements of this section, a
538 university or entity may destroy or return the copy of the DS-
539 160 submitted by an applicant.

540 (b) All applicants described in subsection (1) must submit
541 a complete resume and curriculum vitae, including every
542 institution of higher education attended; all previous
543 employment since the applicant's 18th birthday; a list of all
544 published material for which the applicant received credit as an
545 author, a researcher, or otherwise or to which the applicant
546 contributed significant research, writing, or editorial support;
547 a list of the applicant's current and pending research funding
548 from any source, including funder, amount, applicant's role on
549 the project, and brief description of the research; and a full
550 disclosure of nonuniversity professional activities, including
551 any affiliation with an institution or program in a foreign

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552 country of concern. For applicants who have been continually
553 employed or enrolled in a postsecondary education institution in
554 the United States for 20 years or more, the resume may, but need
555 not, include employment history before the most recent 20 years.

556 (3) The president or chief administrative officer of the
557 state university or applicable entity shall designate a research
558 integrity office to review all materials required in subsection
559 (2) and take reasonable steps to verify all attendance,
560 employment, publications, and contributions listed in the
561 application required in subsection (2) prior to any interview of
562 or offer of a position to the applicant. Reasonable steps
563 include searching public databases for research publications and
564 presentations and public conflict of interest records to
565 identify any research publication or presentation that may have
566 been omitted from the application, contacting all employers of
567 the most recent 10 years to verify employment, contacting all
568 institutions of higher education attended to verify enrollment
569 and educational progress, searching public listings of persons
570 subject to sanctions or restrictions under federal law,
571 submitting the applicant's name and other identifying
572 information to the Federal Bureau of Investigation or any
573 federal agency reasonably willing to scrutinize such applicant
574 for national security or counterespionage purposes, and any
575 other steps deemed appropriate to the office. The state
576 university or applicable entity may also direct the office to
577 approve applicants for hire based on a risk-based determination
578 considering the nature of the research and the background and
579 ongoing affiliations of the applicant.

580 (4) The requirements of this section must be completed

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581 before interviewing or offering any position to an individual
582 described in subsection (1) in any research or research-related
583 support position and before granting such individual any access
584 to research data or activities or other sensitive data. An
585 applicant who must be screened under this section may not be
586 employed in any research or research-related support position if
587 he or she fails to disclose a substantial educational,
588 employment, or research-related activity or publication or
589 presentation at the time of submitting the application required
590 in subsection (2), unless the department head, or a designee,
591 certifies in writing the substance of the nondisclosure and the
592 reasons for disregarding such failure to disclose. A copy of
593 such certification must be kept in the investigative file of the
594 research integrity office and must be submitted to the nearest
595 Federal Bureau of Investigation field office.

596 (5) The research integrity office must report to the
597 nearest Federal Bureau of Investigation field office, and to any
598 law enforcement agency designated by the Governor or the Board
599 of Governors and the governing board of the applicable entity
600 described in subsection (1), the identity of any applicant who
601 was rejected for employment based on the scrutiny required by
602 this section or other risk-based screening.

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

607 Section 5. Section 1010.36, Florida Statutes, is created to
608 read:

609 1010.36 Foreign travel; research institutions.-

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610 (1) By January 1, 2022, each state university or entity
611 listed in subpart A or subpart B of part II of chapter 1004 that
612 receives state appropriations or state tax revenue and has a
613 research budget of \$10 million or more must establish an
614 international travel approval and monitoring program. The
615 program must require preapproval and screening by a research
616 integrity office designated by the president or chief
617 administrative officer of the state university or entity for any
618 employment-related foreign travel and employment-related foreign
619 activities engaged in by all faculty, researchers, and research
620 department staff. Such requirement is in addition to any other
621 travel approval process applicable to the state university or
622 entity.

623 (2) (a) Preapproval by the research integrity office must be
624 based on the applicant's review and acknowledgement of guidance
625 published by the employing state university or entity which
626 relates to countries under sanctions or other restrictions of
627 the state or the United States government, including any federal
628 license requirement; customs rules; export controls;
629 restrictions on taking state university or entity property,
630 including intellectual property, abroad; restrictions on
631 presentations, teaching, and interactions with foreign
632 colleagues; and other subjects important to the research and
633 academic integrity of the state university or entity.

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

638 (3) The state university or entity must maintain records of

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639 all foreign travel requests and approvals; expenses reimbursed
640 by the university or entity during such travel, including for
641 travel, food, and lodging; and payments and honoraria received
642 during such travel and activities, including for travel, food,
643 and lodging. The state university or entity must also keep
644 records of the purpose of the travel and any records related to
645 the foreign activity review. Such records must be retained for
646 at least 3 years or any longer period of time required by any
647 other applicable state or federal law.

648 (4) The state university or entity must provide an annual
649 report of foreign travel to countries of concern listing
650 individual travelers, foreign locations visited, and foreign
651 institutions visited to the Board of Governors or the governing
652 board of the applicable entity.

653 (5) By July 1, 2025, the Inspector General of the Board of
654 Governors, the inspector general of an entity described in
655 subsection (1), or the Auditor General must perform an
656 operational audit regarding the implementation of this section.

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