

1 A bill to be entitled
 2 An act relating to state university and state college
 3 agreements with foreign countries of concern; creating
 4 s. 1010.37, F.S.; providing definitions; prohibiting
 5 state universities and state colleges from entering
 6 into agreements with foreign countries of concern or
 7 entities located in or controlled by such countries
 8 beginning on a specified date; providing an exception
 9 for state universities and state colleges to enter
 10 into such agreements upon approval by the Board of
 11 Governors or State Board of Education, respectively;
 12 authorizing the Board of Governors and the State Board
 13 of Education to sanction state universities and state
 14 colleges, respectively, under certain circumstances;
 15 providing that state universities and state colleges
 16 may be subject to a civil penalty under certain
 17 circumstances; providing requirements for such
 18 penalties; authorizing the Attorney General to bring a
 19 civil action against a state university or state
 20 college under certain circumstances; providing for
 21 attorneys' fees and costs; requiring the Board of
 22 Governors and Department of Education to annually
 23 submit a report to the Governor and Legislature;
 24 providing requirements for such report; prohibiting
 25 state universities and state colleges, and employees

26 or representatives of such entities, from accepting
 27 any gift from certain entities; requiring the Board of
 28 Governors and State Board of Education to adopt
 29 regulations and rules, respectively; providing an
 30 effective date.

31
 32 Be It Enacted by the Legislature of the State of Florida:

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 34 Section 1. Section 1010.37, Florida Statutes, is created
 35 to read:

36 1010.37 State university and state college international
 37 agreements with foreign countries of concern; prohibition
 38 against solicitation or acceptance of gifts.—

39 (1) For purposes of this section, the terms "foreign
 40 country of concern," "state college," and "state university"
 41 have the same meanings as provided in s. 288.860(1).

42 (2) Beginning July 1, 2023, and except as provided in
 43 subsections (3) and (4), a state university or state college may
 44 not enter into an agreement with a foreign country of concern or
 45 an entity located in or controlled by a foreign country of
 46 concern.

47 (3) A state university may, upon approval by the Board of
 48 Governors, enter into an agreement with a foreign country of
 49 concern or an entity located in or controlled by a foreign
 50 country of concern if such agreement is deemed by the Board of

51 Governors to be valuable to students and the state university
52 and is not detrimental to the safety or security of the United
53 States or its residents. An agreement approved under this
54 subsection must meet the requirements of s. 288.860.

55 (4) A state college may, upon approval by the State Board
56 of Education, enter into an agreement with a foreign country of
57 concern or an entity located in or controlled by a foreign
58 country of concern if such agreement is deemed by the State
59 Board of Education to be valuable to students and the state
60 college and is not detrimental to the safety or security of the
61 United States or its residents. An agreement approved under this
62 subsection must meet the requirements of s. 288.860.

63 (5)(a) Beginning July 1, 2023, the Board of Governors
64 shall exercise the authority provided pursuant to s. 1008.322 to
65 sanction a state university that enters into a partnership or
66 agreement with a foreign country of concern or an entity that is
67 located in or controlled by a foreign country of concern without
68 approval from the board.

69 (b) A state university that enters into an agreement with
70 a foreign country of concern or an entity that is located in or
71 controlled by a foreign country of concern without approval from
72 the Board of Governors may be subject to a civil penalty in an
73 amount established in regulations of the Board of Governors. The
74 funds must be deposited into the General Revenue Fund. The Board
75 of Governors may administratively enforce this section and

76 impose a civil penalty as an administrative penalty. In the
 77 absence of enforcement by the Board of Governors, the Attorney
 78 General may bring a civil action to enforce this section. If
 79 such action is successful, the Attorney General is entitled to
 80 reasonable attorney fees and costs.

81 (6) (a) Beginning July 1, 2023, the State Board of
 82 Education shall exercise the authority provided pursuant to s.
 83 1008.32 to sanction a state college that enters into a
 84 partnership or agreement with a foreign country of concern or an
 85 entity that is located in or controlled by a foreign country of
 86 concern without approval from the state board.

87 (b) A state college that enters into an agreement with a
 88 foreign country of concern or an entity that is located in or
 89 controlled by a foreign country of concern without approval from
 90 the State Board of Education may be subject to a civil penalty
 91 in an amount established by State Board of Education rule. The
 92 funds must be deposited into the General Revenue Fund. The State
 93 Board of Education may administratively enforce this section and
 94 impose a civil penalty as an administrative penalty. In the
 95 absence of enforcement by the State Board of Education, the
 96 Attorney General may bring a civil action to enforce this
 97 section. If such action is successful, the Attorney General is
 98 entitled to reasonable attorney fees and costs.

99 (7) (a) The Board of Governors and the Department of
 100 Education, respectively, shall annually submit a report to the

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101 Governor, the President of the Senate, and the Speaker of the
102 House of Representatives relating to agreements of state
103 universities and state colleges, respectively, with foreign
104 entities. At a minimum, the reports must include the following
105 information for the previous fiscal year:

106 1. Data reflecting any grant program, agreement,
107 partnership, or contract between a state university or state
108 college and any college, university, or entity that is based in
109 or controlled by a foreign country.

110 2. Data reflecting any office, campus, or physical
111 location used or maintained by a state university or state
112 college in a foreign country.

113 3. The date on which any such grant program, agreement,
114 partnership, or contract reported pursuant to subparagraph 1. is
115 expected to terminate.

116 (b) Each state university and state college shall submit
117 the information required in paragraph (a) to the Board of
118 Governors and Department of Education, respectively, by July 1
119 of each year.

120 (8) A state university or state college, or any employee
121 or representative of a state university or state college, may
122 not solicit or accept any gift, including any physical object,
123 loan, reward, promise of future employment, favor, or service,
124 from:

125 (a) A foreign country of concern or an entity that is

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126 | located in or controlled by a foreign country of concern; or
127 | (b) A person associated with or employed by a foreign
128 | country of concern or an entity that is located in or controlled
129 | by a foreign country of concern.

130 | (9) The Board of Governors and the State Board of
131 | Education shall adopt rules and regulations, respectively, to
132 | administer this section.

133 | Section 2. This act shall take effect July 1, 2023.