

By Senator Calatayud

38-00609-24

20241342__

1 A bill to be entitled
2 An act relating to third-party sellers from foreign
3 countries of concern; creating s. 501.174, F.S.;
4 defining terms; requiring an online marketplace to
5 record certain information from a third-party seller
6 to verify a third-party seller's location; requiring
7 an online marketplace to disclose to consumers that a
8 third-party seller is located in or doing business
9 from a foreign country of concern; authorizing an
10 online marketplace to hold in an interest-bearing
11 account the sales proceeds from transactions between
12 consumers and third-party sellers living in or doing
13 business from a foreign country of concern; requiring
14 an online marketplace to hold such sales proceeds for
15 a certain length of time; authorizing an online
16 marketplace to use the interest accrued from the held
17 proceeds for its benefit; providing for enforcement of
18 the act; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Section 501.174, Florida Statutes, is created to
23 read:

24 501.174 Consumer protection against third-party sellers
25 from foreign countries of concern; online marketplaces.—

26 (1) DEFINITIONS.—As used in this section, the term:

27 (a) "Foreign country of concern" means the People's
28 Republic of China, the Russian Federation, the Islamic Republic
29 of Iran, the Democratic People's Republic of Korea, the Republic

38-00609-24

20241342__

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

33 (b) "Online marketplace" means any consumer-directed
34 electronically based or accessed platform that:

35 1. Includes features that allow for, facilitate, or enable
36 third-party sellers to engage in the sale, purchase, payment,
37 storage, shipping, or delivery of a consumer product in the
38 United States;

39 2. Is used by one or more third-party sellers for such
40 purposes; and

41 3. Has a contractual or similar relationship with consumers
42 governing their use of the platform to purchase consumer
43 products.

44 (c) "Third-party seller" means any seller, independent of
45 an online marketplace, which sells, offers to sell, or contracts
46 to sell a consumer product in the United States through an
47 online marketplace.

48 (2) DATA COLLECTION.—An online marketplace shall record the
49 Internet protocol address of a third-party seller to verify its
50 location.

51 (3) DISCLOSURE.—Before a sale transaction, an online
52 marketplace shall disclose to a consumer in a clear and
53 conspicuous manner the general location of the third-party
54 seller if the third-party seller is located in or conducts
55 business from a foreign country of concern.

56 (4) TRANSACTION PROCEEDS TO BE HELD BY ONLINE MARKETPLACE.—

57 (a) An online marketplace shall hold the proceeds of a
58 transaction between a consumer and a third-party seller if the

38-00609-24

20241342__

59 third-party seller is located in or conducts business from a
60 foreign country of concern.

61 (b) The proceeds of a transaction may be held in an
62 interest-bearing account. The proceeds shall remain in the
63 account for a period of no less than 120 days. Any interest that
64 accrues in the account may be used for the benefit of the online
65 marketplace in any lawful way.

66 (c) The proceeds shall be transferred to the third-party
67 seller after 120 days have elapsed.

68 (5) ENFORCEMENT.—A violation of this section constitutes a
69 violation of the Florida Deceptive and Unfair Trade Practices
70 Act under part II of this chapter.

71 Section 2. This act shall take effect July 1, 2025.