

By Senator Collins

14-00451A-25

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1                   A bill to be entitled  
2       An act relating to online 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 an online seller to  
6       verify the online seller's location; requiring an  
7       online marketplace to disclose to consumers an online  
8       seller's or online marketplace's location if the  
9       online seller or online marketplace is in, conducts  
10      business from, or fulfills orders from a foreign  
11      country of concern; requiring an online marketplace to  
12      hold in a United States-based account the sales  
13      proceeds from transactions between Florida-based  
14      consumers and online sellers located in, conducting  
15      business from, or fulfilling orders from a foreign  
16      country of concern; requiring an online marketplace to  
17      hold such sales proceeds for a certain timeframe;  
18      authorizing such sales proceeds to be transferred to  
19      the online seller after a certain timeframe; providing  
20      that a violation of this section is a violation of the  
21      Florida Deceptive and Unfair Trade Practices Act;  
22      providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26       Section 1. Section 501.174, Florida Statutes, is created to  
27       read:

28       501.174 Consumer protection against online sellers from  
29       foreign countries of concern; online marketplaces.-

14-00451A-25

20251090\_\_

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

31 (a) "Foreign country of concern" means the People's  
32 Republic of China, the Russian Federation, the Islamic Republic  
33 of Iran, the Democratic People's Republic of Korea, the Republic  
34 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian  
35 Arab Republic, including any agency of or any other entity under  
36 significant control of such foreign country of concern.

37 (b) "Online marketplace" means any consumer-directed,  
38 electronically based or accessed platform that:

39 1. Includes features that allow for, facilitate, or enable  
40 online sellers to engage in the sale, purchase, payment,  
41 storage, shipping, or delivery of a consumer product in the  
42 United States;

43 2. Is used by one or more online sellers for such purposes;  
44 and

45 3. Has a contractual or similar relationship with consumers  
46 governing their use of the platform to purchase consumer  
47 products.

48 (c) "Online seller" means any seller, independent of an  
49 online marketplace, which sells, offers to sell, or contracts to  
50 sell a consumer product in the United States through an online  
51 marketplace.

52 (2) DATA COLLECTION.—An online marketplace shall record the  
53 Internet protocol address of an online seller to verify its  
54 location.

55 (3) DISCLOSURE.—Before a sale transaction, an online  
56 marketplace shall disclose to a consumer in a clear and  
57 conspicuous manner the general location of the online seller or  
58 online platform if the online seller or online platform is

14-00451A-25

20251090\_\_

59 located in or conducts business from a foreign country of  
60 concern.

61 (4) TRANSACTION PROCEEDS TO BE HELD BY ONLINE MARKETPLACE.-

62 (a) An online marketplace shall hold in a United States-  
63 based escrow account the proceeds of a transaction between a  
64 Florida-based consumer and an online seller if the online seller  
65 or the online platform is located in, conducts business from, or  
66 fulfills orders from a foreign country of concern.

67 (b) The proceeds shall remain in the account for a period  
68 of no less than 120 days.

69 (c) The proceeds may be transferred to the online seller  
70 after 120 days have elapsed.

71 (5) ENFORCEMENT.-A violation of this section constitutes a  
72 violation of the Florida Deceptive and Unfair Trade Practices  
73 Act under part II of this chapter.

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