

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: CS/SB 1178

INTRODUCER: Ethics and Elections Committee and Senators Grall and Avila

SUBJECT: Foreign Influence

DATE: February 3, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Biehl</u>	<u>Roberts</u>	<u>EE</u>	<u>Fav/CS</u>
2.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	<u>Favorable</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1178 creates a “Foreign Interference Restriction and Enforcement Act,” which amends and establishes numerous statutory provisions to reduce interference and influence by foreign countries of concern. Specifically, the bill:

- Expands the definition of “foreign source of concern” to also include a designated foreign terrorist organization or an agent acting on behalf of such organization.
- Creates a state-level framework for the registration of agents and organizations associated with foreign countries of concern and prescribes penalties for its violation.
- Expands restrictions on gifts to specified public officials, public employees, and candidates, and requires ethics training for specified public officials to include information on foreign countries of concern and their influence.
- Strengthens prohibitions on government contracting and procurement with vendors connected to foreign countries of concern.
- Prohibits the state protocol officer from encouraging a sister city or sister state affiliation with a foreign country of concern or its subdivision.
- Requires the Department of State to quarterly publish on its website specified information on all foreign consulate offices in Florida and all sister city and sister state affiliations.
- Revises provisions governing Florida linkage institutes to remove the Florida-China Institute from the list of authorized institutes, repeal the limited exemption for in-state residency tuition requirements, and prohibit a linkage institute from entering into an agreement or participate in activities with a foreign country of concern or any organization in such country.

- Expands a provision prohibiting specified state agencies or political subdivisions from entering an agreement or accepting a grant from a foreign country of concern under specified circumstances to instead make it a blanket prohibition against such agreements or grants.
- Creates a new section of law governing the protection of state critical infrastructure facilities.
- Reclassifies criminal offenses committed for the purpose of benefiting, promoting, or furthering the interests of a foreign government, a designated foreign terrorist organization, or an agent of such government or organization.
- Criminalizes the unauthorized enforcement of foreign law.
- Revises references to definitions of “foreign country of concern.”

The bill takes effect July 1, 2026.

II. Present Situation:

Influence Operations by Foreign Countries of Concern

National intelligence agencies and civilian interest groups have issued reports in recent years describing the ongoing efforts of hostile foreign governments to influence policy in the United States. These foreign governments have attempted to influence federal, state, and local government policy as well as directly attack the infrastructure of the United States. Some examples include, but are not limited to:

- Manipulation by the People’s Republic of China (PRC) of relationships with government and business leaders at the state and local levels to expand support for PRC policies and to pressure the federal government for policies favorable to the PRC’s geopolitical interests.¹
- Exploitation by the Chinese Communist Party of U.S. university partnerships to advance China’s civilian repression and military goals.²
- Attempts by Russia, China, Iran, and North Korea, both individually and collectively, to challenge U.S. interests abroad by attacking and threatening other countries in their regions to create opportunities to advance their interests.³

Current Statutes

For statutory law relating to the bill’s provisions, see “Effect of Proposed Changes.”

¹ The National Intelligence and Security Center, *Safeguarding Our Future: Protecting Government and Business Leaders at the U.S. State and Local Level from People’s Republic of China Influence Operations*, (July 2022), https://www.dni.gov/files/NCSC/documents/SafeguardingOurFuture/PRC_Subnational_Influence-06-July-2022.pdf (last visited Jan. 31, 2026).

² The Select Committee on the Chinese Communist Party, *Joint Institutes, Divided Loyalties: How the Chinese Communist Party Exploits U.S. Partnerships to Empower China’s Military and Repression*, (Sept. 2025), <https://chinaselectcommittee.house.gov/media/reports/joint-institutes-divided-loyalties> (last visited Jan. 31, 2026).

³ Office of the Director of National Intelligence, *Annual Threat Assessment of the U.S. Intelligence Community* (March 2025), <https://www.dni.gov/files/ODNI/documents/assessments/ATA-2025-Unclassified-Report.pdf> (last visited Jan. 31, 2026).

III. Effect of Proposed Changes:

Statutory Definitions related to Foreign Countries of Concern (Sections 5, 9, and 10)

Foreign Country of Concern

Current law provides a number of definitions for “foreign country of concern.” Definitions related to this bill, which are largely identical, include:

- For restrictions on government contracting (s. 287.138, F.S.) – “The People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolas Maduro, or the Syrian Arab Republic, including any agency of or any other entity *of* significant control of such foreign country of concern [emphasis added].”
- For restrictions on conveyances of land to foreign entities (s. 692.201, F.S.) – a definition identical to that in s. 287.138, F.S.
- For international cultural agreements (s. 288.860, F.S.) – “The People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolas Maduro, or the Syrian Arab Republic, including any agency of or any other entity *under* significant control of such foreign country of concern [emphasis added].”
- For foreign gifts to and contracts of state agencies and political subdivisions (s. 286.101, F.S.) – a definition identical to that in s. 288.860, F.S.

Additional definitions include:

- For prohibited use of internet applications from foreign countries of concern (s. 112.22, F.S.) – a definition identical to that in s. 288.860, F.S.
- For laboratory services provided by the Department of Health (s. 381.0202, F.S.) – “The People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolas Maduro, or the Syrian Arab Republic, including any agency of such foreign country of concern.”
- For a restriction on persons or entities with controlling interests in specified health care facilities (s. 408.810, F.S.) – a definition identical to that in s. 381.0202, F.S.

Foreign Source of Concern

Section 496.404(14), F.S., which is located in the chapter of law governing solicitation of funds from the public, defines “foreign source of concern” to mean any of the following:

- The government or any official of the government of a foreign country of concern;
- A political party or member of a political party or any subdivision of a political party in a foreign country of concern;
- A partnership, an association, a corporation, an organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity;
- Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent citizen of the United States;
- An agent, including a subsidiary or an affiliate of a foreign legal entity, acting on behalf of a foreign source of concern; or

- An entity in which a person, entity, or collection of persons or entities described above has a controlling interest.

“Controlling interest” means the possession of the power to direct or cause the direction of the management or policies of an entity, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interest of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest.⁴

“Foreign country of concern” has the same meaning as in s. 286.101, F.S.⁵

Foreign Agent

The criminal penalty for theft of or trafficking in trade secrets defines “foreign agent” to mean any officer, employee, proxy, servant, delegate, or representative of a foreign government.⁶

Designated Foreign Terrorist Organization

The criminal penalty for use of military-type military training from a designated foreign terrorist organization with the intent to unlawfully harm another person or damage a critical infrastructure facility defines “designated foreign terrorist organization” to mean an organization designated as a terrorist organization under s. 219 of the Immigration and Nationality Act.⁷ The U.S. Department of State currently lists 93 designated foreign terrorist organizations.⁸

Effect of Proposed Changes

The bill revises the definition of “foreign source of concern” in s. 496.404(14), F.S., to add that the term includes a designated foreign terrorist organization or an agent acting on behalf of a foreign terrorist organization. The effect of the expanded definition is to subject a person to criminal penalties for soliciting or accepting contributions or anything of value from a designated foreign terrorist organization or an agent for such an organization for the benefit of charitable organization.

The bill revises the definitions of “foreign country of concern” in ss. 287.138 and 692.201, F.S., to clarify that the term includes any entity *under* significant control of such country, not *of* significant control.

Registration of Foreign Agents (Section 2)

Present Situation

Federal Law

Enacted in 1938, the Foreign Agents Registration Act (FARA) was created to expose foreign influence in American politics. The Act focused on identifying and creating a public record of

⁴ Section 496.404(14)(f), F.S.

⁵ Section 496.404(13), F.S.

⁶ Section 812.081, F.S.

⁷ Section 775.32(1)(b), F.S.

⁸ See “Foreign Terrorist Organizations,” <https://www.state.gov/foreign-terrorist-organizations> (last visited Jan. 31, 2026).

efforts to spread propaganda and foreign agendas.⁹ FARA has been revised to better respond to the evolving nature of foreign entities in the United States. These changes have reoriented the law away from focusing on propaganda activities to focusing on foreign advocacy and lobbying.¹⁰ Recent enforcement of FARA has focused on “instances of alleged conduct similar to more traditional espionage by foreign government actors.”¹¹

FARA requires certain persons, referred to as “agents of a foreign principal,”¹² to register with the Department of Justice (DOJ) and disclose their relationships, activities, receipts, and disbursements in support of their advocacy or public relations activities, when representing foreign entities, known as “foreign principals,”¹³ within the United States. Individuals who meet the definition of an “agent of a foreign principal” are required to file a registration statement

⁹ 22 U.S.C. §§ 611, 621; See Jacob R. Straus, *Foreign Agents Registration Act (FARA): Background and Issues for Congress*, Congressional Research Service (June 30, 2020) available at <https://www.congress.gov/ers-product/R46435> ; See *Vierick v. United States*, 318 U.S. 236, 241 (1943); See also, U.S. Congress, House Committee on the Judiciary, *Lobbying Disclosure Act of 1995*, report to accompany H.R. 2564, 104th Cong., 1st sess., November 14, 1995, H.Rept.104-339, part 1 (Washington: GPO, 1995), pp. 5-8 (FARA responded to foreign influence concerns by creating a system designed “to identify agents of foreign principals who might engage in subversive acts or in spreading foreign propaganda and to require them to make a public record of the nature of their employment.”).

¹⁰ *Id.* (FARA was amended in 1942, 1966, and 1995.)

¹¹ See U.S. Attorney General Pam Bondi, *General Policy Regarding Charging, Plea Negotiations, and Sentencing*, a memorandum from Attorney General Pamela Bondi to all Department of Justice Employees (Feb. 5 2025) available at <https://www.justice.gov/ag/media/1388541/dl> (last visited January 31, 2026).

¹² 22 U.S.C. §611(c) (“Except as provided under §611(d), the term ‘agent of a foreign principal’ means- (1) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal, and who directly or through any other person- (i) engages within the United States in political activities for or in the interests of such foreign principal; (ii) acts within the United States as a public relations counsel, publicity agent, information-service employee or political consultant for or in the interests of such foreign principal; (iii) within the United States solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal; or (iv) within the United States represents the interests of such foreign principal before any agency or official of the Government of the United States; and (2) any person who agrees, consents, assumes or purports to act as, or who is or holds himself out to be, whether or not pursuant to contractual relationship, an agent of a foreign principal as defined in clause (1) of this subsection.”); *But see* 22 U.S.C. §611(d) (Section (d) provides that, “(d) The term ‘agent of a foreign principal’ does not include any news or press service or association organized under the laws of the United States or of any State or other place subject to the jurisdiction of the United States, or any newspaper, magazine, periodical, or other publication for which there is on file with the United States Postal Service information in compliance with section 3611 of title 39, published in the United States, solely by virtue of any bona fide news or journalistic activities, including the solicitation or acceptance of advertisements, subscriptions, or other compensation therefor, so long as it is at least 80 per centum beneficially owned by, and its officers and directors, if any, are citizens of the United States, and such news or press service or association, newspaper, magazine, periodical, or other publication, is not owned, directed, supervised, controlled, subsidized, or financed, and none of its policies are determined by any foreign principal defined in subsection (b) of this section, or by any agent of a foreign principal required to register under this subchapter.”).

¹³ 22 U.S.C. §611(b) (“The term ‘foreign principal’ includes - (1) a government of a foreign country and a foreign political party; (2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States; and (3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.”).

within 10 days of agreeing to become an agent.¹⁴ Supplemental statements must be filed every six months thereafter.¹⁵ Registration statements must include:¹⁶

- The registrant’s name and both personal and business addresses;
- The registrant’s status, nationality of all individuals, partnerships, and corporate directors or officers;
- A statement on the nature of the registrant’s business, a complete list of employees, the nature of their work, and the name and address of every foreign principal the registrant represents;
- Copies of the registrant’s written agreement with a foreign principal and conditions of all oral agreements;
- The nature and amount of contributions, income, money, or other items of value received from a foreign principal; and
- A detailed statement on spending connected with activities for the foreign principal.

The registration and supplemental statements must be made under oath¹⁷ and filed electronically.¹⁸ The Attorney General is required to maintain permanent copies of all registration statements and to provide copies to the public, the Secretary of State, other executive agencies, and congressional committees.¹⁹ FARA requires that political propaganda be filed with the DOJ and specifically labeled.²⁰ These “informational materials” must be filed by agents of foreign principals within 48 hours of registration and must contain specific labeling language.²¹ Further, all informational materials distributed by registered foreign agents “must contain a conspicuous label if such media are used as instruments to disseminate informational materials.”²² FARA also requires all agents of a foreign principal keep and preserve all books and records of activities that are required to be disclosed under the law.²³ These records include: activities taken on behalf of a foreign principal, correspondence about political activities, original copies of contracts, names of individuals to whom informational materials have been transmitted, and bookkeeping and financial records.²⁴

¹⁴ 22 U.S.C. §612(a).

¹⁵ 22 U.S.C. §612(b).

¹⁶ 22 U.S.C. §612.

¹⁷ 22 U.S.C. §612(c).

¹⁸ 22 U.S.C. §612(g).

¹⁹ 22 U.S.C. §616(a)-(d) (The Attorney General must also maintain a publicly available, internet accessible, searchable, and downloadable database).

²⁰ 22 U.S.C. §614.

²¹ See U.S. Department of Justice, National Security Division, Foreign Agents Registration Act (FARA) Unit, “What are the Filing and Labeling Requirements for Informational Materials?” *General FARA Frequently Asked Questions*, <https://www.justice.gov/nsd-fara/general-fara-frequently-asked-questions> . For additional regulations on the labeling of informational materials, see 28 C.F.R. §5.402, <https://www.ecfr.gov/current/title-28/chapter-I/part-5/section-5.402>. (The following labeling language must be included on “informational materials”: “This material is distributed by (name of registrant) on behalf of (name of foreign principal). Additional information is available at the Department of Justice, Washington, DC.”)

²² *Id.*

²³ 22 U.S.C. §615; See 28 C.F.R. §5.500(b) (records must be available for inspection); See also 28 C.F.R. §5.500(c) (records must be kept for three years after the foreign principal-agent relationship has been terminated).

²⁴ 28 C.F.R. §5.500(a).

In addition, FARA requires firms or other entities that are agents of a foreign principal to also register.²⁵ The entities' officers or directors are under obligation to ensure the agent of a foreign principal is registered and are potentially liable and could face prosecution for failed compliance.²⁶

Certain agents of a foreign principal are exempt from registering under FARA.²⁷

Violators of FARA face potential fines or imprisonment.²⁸ The Attorney General may establish regulations to implement the law.²⁹ Further, every 6 months, the Attorney General must submit a report to Congress on the administration of FARA.³⁰

²⁵ 22 U.S.C. §617.

²⁶ *Id.*

²⁷ 22 U.S.C. §613 (FARA listed exemptions: **Diplomatic or Consular Officers**- Duly accredited diplomatic or consular officials, recognized by Department of State, performing official functions; **Official of Foreign Government**- officials of recognized governments who are not public-relations counsel, publicity agent, information-services employee, or citizen of the United States, acting in an official capacity; **Staff Members of Diplomatic or Consular Officers**- any staff member or employee of a duly accredited diplomatic or consular officer, other than a public relations counsel, of a State Department recognized foreign government performing official functions; **Private and Nonpolitical Activities; Solicitation of Funds**- “any person engaging or agree to engage only (1) in private and nonpolitical activities in furtherance of the bona fide trade or commerce of such foreign principal; or (2) in other activities not serving predominantly a foreign interest; or (3) in the soliciting or collecting of funds and contributions within the United States to be used only for medical aid and assistance, or for food and clothing to relieve human suffering”; **Religious, Scholastic, or Scientific Pursuits**- person engaged “only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts”; **Defense of Foreign Government Vital to United States Defense**- Agents “whose foreign principal is a government of a foreign country the defense of which the President deems vital to the defense of the United States,” if certain specified conditions are met; **Qualified to Practice Law**- any person qualified to practice law who engages “in the legal representation of a disclosed foreign principal before any court of law or any agency of the Government of the United States.” Does not include advocacy activity outside judicial proceedings, criminal or civil law enforcement inquires, investigations, or statutorily required agency proceedings; **Lobbying Disclosure Act (LDA) Filer**- Individuals registered under LDA are not required to register under FARA.).

²⁸ 22 U.S.C. §618(a) (Any person who willfully violates the law or willfully makes false statements in registration or supplemental statements upon conviction may “be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both.”); *See also* 22 U.S.C. §618(a) (Violating provisions of the filing and labeling requirements for political propaganda, failing to correct deficient registration statements, or having a contingent fee arrangement with a foreign principal carry potential penalties of up to a \$5,000 fine or six months in prison.).

²⁹ The regulations for FARA are located at 28 C.F.R. §§5.1-5.1101.; *But see Justice Department Proposes New Regulations to Modernize Foreign Agents Registration Act Administration and Enforcement*, U.S. Department of Justice Website Press Release (Friday, December 20, 2024), available at <https://www.justice.gov/archives/opa/pr/justice-department-proposes-new-regulations-modernize-foreign-agents-registration-act> (FARA’s implementing regulations have not been updated since 2007. The DOJ recently announced a proposed rule that would alter key exemptions that companies and individuals most frequently rely on, including (1) the “commercial” exemption, (2) the exemption for persons whose activities do not predominantly serve a foreign interest, and (3) the exemption for persons qualified to practice law. The proposed rule also adds several new requirements for handling “informational materials,” including by requiring foreign agents to more frequently and conspicuously disclose their agency status (such as on websites, broadcasts, and social media), even when performing acts such as scheduling meetings with members of Congress or other U.S. officials. The practical effect of the proposed changes will be to limit the number of individuals who could claim the exemptions.).

³⁰ 22 U.S.C. §621.

Federal law, under the Federal Elections Campaign Act (FECA)³¹ as amended, prohibits foreign nationals,³² in connection with any federal, state, or local election, from making, either directly or indirectly:

- Contributions;
- Donations;
- Expenditures (including independent expenditures); or
- Disbursements solicited, directed, received or made directly or indirectly from a foreign national.³³

This prohibition includes advances of personal funds; contributions or donations made to political party committees and organizations, state or local party committees for the purchase or construction of an office building;³⁴ and contributions or disbursements to make electioneering communications.³⁵ Foreign nationals are also prohibited from directly or indirectly donating to an inaugural committee, and it is a violation of federal law to knowingly accept such donations from a foreign national.³⁶

Florida Law

Florida law prohibits foreign nationals³⁷ from directly or indirectly making, or offering to make, a contribution or expenditure in connection with any election held in the state.³⁸ The prohibition applies to both candidate and ballot question campaigns.³⁹

Any state agency or political subdivision that receives, directly or indirectly, any gift or grant having a value of \$50,000 or more from any foreign source must disclose the gift or grant to the

³¹ 52 U.S.C. §30121.

³² See 11 CFR 110.20(a)(3) (A “foreign national” is: “1. An individual who is not a citizen of the United States or a national of the United States and has not been lawfully admitted to the U.S. for permanent residence, as defined in 8 U.S.C. §1101(a)(20); or 2. A foreign principal, as defined in 22 U.S.C. §611(b).”).

³³ 52 U.S.C. s. 30121(a) and Federal Election Commission, *Foreign Nationals*, <https://www.fec.gov/help-candidates-and-committees/foreign-nationals/> (last visited Jan. 31, 2026) (FECA defines an “election” to encompass not only general, special, primary, and runoff elections but also conventions or caucuses of political parties that have the authority to nominate candidates.).

³⁴ See 11 CFR 300.35 and 52 U.S.C. 30121.

³⁵ *Id.*

³⁶ *Id.*

³⁷ See s. 106.08(12)(a)1, F.S. (“the term ‘foreign national’ means: a. A foreign government; b. A foreign political party; c. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country; d. A person with foreign citizenship; or e. A person who is not a citizen or national of the United States and is not lawfully admitted to the United States for permanent residence. 2. The term does not include: a. A person who is a dual citizen or dual national of the United States and a foreign country. b. A domestic subsidiary of a foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country if:

(I) The donations and disbursements used toward a contribution, or an expenditure are derived entirely from funds generated by the subsidiary’s operations in the United States; and (II) All decisions concerning donations and disbursements used toward a contribution or an expenditure are made by individuals who either hold United States citizenship or are permanent residents of the United States. For purposes of this sub-sub-subparagraph, decisions concerning donations and disbursements do not include decisions regarding the subsidiary’s overall budget for contributions or expenditures in connection with an election.”

³⁸ Section 106.08(12)(b), F.S.

³⁹ *Id.*

Department of Financial Services within 30 days.⁴⁰ The disclosure must include the date and amount of the gift or grant and the name and country of residence or domicile of the foreign source.⁴¹

Current law also specifies restrictions on governmental entity agreements with foreign countries of concern. (See additional information later in this analysis under “International Cultural Agreements.”)

Effect of Proposed Changes

This bill creates a new requirement under the Florida Election Code⁴² for the registration of agents and organizations associated with foreign countries of concern. These requirements are similar to those of the federal Foreign Agents Registration Act.

The bill provides definitions for the terms “address,”⁴³ “agent of a foreign country of concern,”⁴⁴ “foreign country of concern,”⁴⁵ “foreign supported political organization,”⁴⁶ “payment,”⁴⁷ and “political activity.”⁴⁸

The bill requires a person to register with the Florida Department of State, Division of Elections (Division) within 10 days after becoming an agent of a foreign country of concern. The Division is required to create a registration form, which at a minimum, must require the following information to be disclosed by registrants:

- The registrant’s name.
- The address of the registrant’s primary residence and all other addresses associated with the registrant.
- The name and address of the registrant’s principal place of business.
- A detailed statement describing the nature of the registrant’s business.
- The name of each foreign country of concern for whom the registrant is acting, assuming or purporting to act, or has agreed to act.

⁴⁰ Section 286.101(2), F.S.

⁴¹ *Id.*

⁴² See Chapters 97-106, F.S.

⁴³ “Address” is defined to mean any address, no matter the location, inside or outside of the United States.

⁴⁴ “Agent of a foreign country of concern” means a person: 1. Who acts as an agent, an employee, a representative, or a servant, or who otherwise acts at the order, at the request, or under the direction or control, of a foreign country of concern; 2. Whose actions are financed, in whole or in part, by a foreign country of concern; and 3. Who engages in political activity.

⁴⁵ “Foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern.

⁴⁶ “Foreign-supported political organization” means a political party or a domestic partnership, an association, a corporation, an organization, or any other business entity that has its principal place of business in a foreign country of concern; or is at least 20 percent beneficially owned by a foreign country of concern, a nonresident alien from a foreign country of concern, or an entity organized under the laws of or having its principal place of business in a foreign country of concern.

⁴⁷ “Payment” includes compensation and disbursement made in any form, including, but not limited to, contributions, income, money, tangible property, and intangible property.

⁴⁸ “Political activity” means an activity that is performed to: 1. Influence an agency, a public official, or a local governmental entity; 2. Influence the public in creating, adopting, or changing state laws or government policies; 3. Support or oppose a candidate for office; 4. Influence the outcome of an election; or 5. Support or oppose any issue.

- A detailed statement describing the nature of the work and the character of the business or other activities of each foreign country of concern.
- A statement detailing each time the registrant received a payment from a foreign country of concern within the previous 90 days. The statement must identify the amount of the payment and the nature of the payment.
- The total amount of payments the registrant has received within the previous 90 days from a foreign country of concern.
- A detailed statement of every activity the registrant, or a person on behalf of the registrant, is performing, has performed, or has agreed to perform on behalf of a foreign country of concern.
- If the registrant is also engaged in political activity on behalf of a person who is not associated with a foreign country of concern but who is an agent of a foreign country of concern the registrant must include the following information:
 - The name, employer, business and residence addresses, and if applicable, nationality of such person.
 - A detailed statement of every activity the registrant, or a person on behalf of the registrant, is performing, has performed, or has agreed to perform on behalf of such person.
 - A statement detailing each time the registrant received a payment from the person within the previous 90 days. The statement must identify the amount of the payment and the nature of such payment.
- A detailed statement of the payments made by the registrant during the previous 90 days in connection with actions taken by the registrant as an agent of, on behalf of, or in furtherance of the goals of a foreign country of concern or a person who is an agent of a country of concern.
- A detailed statement of all payments made by the registrant during the previous 90 days related to any political activity.

A registered individual must update the information required by the registration form at least every 90 days and must register for any period of time for which he or she was engaged as an agent of a foreign country of concern.

On or before January 1, 2027, each foreign-supported political organization must register with the Division. The Division must create a separate form for such registration that at a minimum requires the following information:

- The organization's name and mailing address and the address of any physical office.
- The names, titles, and addresses of all officers or directors of the organization.
- A detailed statement of all payments made by the organization that would constitute political activity during the previous calendar year.
- A detailed statement of all payments made to, or received by, the organization from a foreign country of concern or an agent of a foreign country of concern during the preceding calendar year.

A registered organization must update the information required by the registration form at least every 90 days.

A person or organization found to be in violation of this section by the Florida Elections Commission⁴⁹ is subject to the general penalties for elections violations provided in ss. 106.265⁵⁰ and 106.27,⁵¹ F.S., as well as:

- A fine of up to \$500 for any willful violation.
- A fine of up to \$2,000 for any willful repeated violation.

Ethics Requirements for Public Officials and Employees (Sections 3 and 4)

Present Situation

Commission on Ethics

The Commission on Ethics (Commission) was created by the Legislature in 1974 “to serve as guardian of the standards of conduct” for state and local public officials and employees.⁵² The Florida Constitution and state law designate the Commission as the independent commission provided for in s. 8(g), Art. II of the Florida Constitution.⁵³ Constitutional duties of the Commission consist of conducting investigations and making public reports on all breach of trust complaints towards public officers or employees not governed by the judicial qualifications commission.⁵⁴ In addition to constitutional duties, the Commission, in part:

- Renders advisory opinions to public officials;⁵⁵
- Makes recommendations to disciplinary officials when appropriate for violations of ethics and disclosure laws;⁵⁶
- Administers the Executive Branch Lobbying Registration and Reporting Law;⁵⁷
- Maintains financial disclosure filings of constitutional officers and state officers and employees;⁵⁸ and
- Administers automatic fines for public officers and employees who fail to timely file a required annual financial disclosure.⁵⁹

⁴⁹ The Florida Elections Commission is a nine-member commission, housed within the Department of Legal Affairs, that has jurisdiction to investigate and determine violations of chs. 104 and 106, F.S. (ss. 106.24(1) and 106.25(1), F.S.). For the purposes of commission jurisdiction, a violation means the willful performance of an act prohibited by, or the willful failure to perform an act required by, ch. 104 or 106, F.S. (s. 106.25(3), F.S.).

⁵⁰ “(1)(a) The commission or, in cases referred to the Division of Administrative Hearings pursuant to s. 106.25(5), the administrative law judge is authorized upon the finding of a violation of this chapter or chapter 104 to impose civil penalties in the form of fines not to exceed \$2,500 per count. The fine may be multiplied by a factor of 3, not to exceed \$7,500, for each subsequent count of the same category, beginning with the fourth offense.”

⁵¹ “(1) Criminal proceedings for violations of this chapter or chapter 104 may be brought in the appropriate court of competent jurisdiction . . . (2) Civil actions may be brought by the commission for relief, including permanent or temporary injunctions, restraining orders, or any other appropriate order for the imposition of civil penalties provided by this chapter. . . (3) Civil actions may be brought to enjoin temporarily the issuance of certificates of election to successful candidates who are alleged to have violated the provisions of this chapter or 104.”

⁵² Florida Commission on Ethics, *Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees*, p. 1, available at <https://ethics.state.fl.us/Documents/Publications/GuideBookletInternet.pdf?cp=2023310> (last visited January 26, 2026); *see also* s. 112.320, F.S.

⁵³ Section (8)(j)(3), art. II, Fla. Const.; s. 112.320, F.S.

⁵⁴ Section (8)(g), art. II., Fla. Const.

⁵⁵ Section 112.322(3)(a), F.S.

⁵⁶ Section 112.322(2)(b), F.S.

⁵⁷ Sections 112.3215 and 112.32155, F.S.

⁵⁸ Section 112.3144, F.S.

⁵⁹ Sections 112.3144, 112.3145, and 112.31455, F.S.

Code of Ethics for Public Officers and Employees, Generally

The Code of Ethics for Public Officers and Employees (Code of Ethics)⁶⁰ establishes ethical standards for public officials and is intended to ensure that public officials conduct themselves independently and impartially, not using their office for private gain other than compensation provided by law.⁶¹ The Code of Ethics addresses various issues, such as ethics trainings, voting conflicts, full and public disclosure of financial interests, standards of conduct, and the Commission on Ethics, among others.⁶²

Restriction on Gifts

Public officers, state agency employees, local government attorneys, and candidates for office are prohibited from soliciting or accepting anything of value, including a gift, loan, reward, promise of future employment, favor, or service, based upon the understanding that their vote, official action, or judgment would be influenced.⁶³

Ethics Training for Specified Public Officials

Current law requires all constitutional officers,⁶⁴ elected municipal officers, commissioners of a community redevelopment agency, and elected local officers of an independent special district to complete 4 hours of ethics training each calendar year. At a minimum, the training must address state constitutional and statutory ethics requirements and state public records and meetings laws.⁶⁵ The Commission on Ethics must adopt rules establishing minimum course content for the portion of the ethics training which addresses state constitutional and statutory ethics requirements.⁶⁶

Effect of Proposed Changes

The bill adds the following definitions to the section of law governing standards of conduct for public officers, employees of agencies, and local government attorneys:

- “Designated foreign terrorist organization,” which is assigned the same meaning as in s. 775.32, F.S.
- “Foreign country of concern,” which is assigned the same meaning as in s. 286.101(1), F.S.

The bill expands the restriction on gifts by prohibiting a public officer, an employee of an agency, a local government attorney, or a candidate for nomination or election from soliciting or accepting anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, for any purpose, including, but not limited to, a gift from a designated foreign terrorist organization or any person or entity representing or acting on behalf

⁶⁰ See pt. III. Ch. 112, F.S.

⁶¹ Florida Commission on Ethics, *Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees*, p. 1, available at <https://ethics.state.fl.us/Documents/Publications/GuideBookletInternet.pdf?cp=2023310> (last visited January 26, 2026)

⁶² See pt. III. 112, F.S.

⁶³ Section 112.313(2), F.S.

⁶⁴ “Constitutional officers” includes the Governor, the Lieutenant Governor, the Attorney General, the Chief Financial Officer, the Commissioner of Agriculture, state attorneys, public defenders, sheriffs, tax collectors, property appraisers, supervisors of elections, clerks of the circuit court, county commissioners, district school board members, and superintendents of school (s. 112.3142(1), F.S.).

⁶⁵ Section 112.3142(2), F.S.

⁶⁶ *Id.*

of a foreign terrorist organization, or travel costs or any reimbursement for costs of attending a conference or other event, from a foreign country of concern or any of its subdivisions, or from any person or entity representing or acting on behalf of a foreign country of concern or any of its subdivisions.

The bill requires the Commission on Ethics to, by November 1, 2026, adopt revised rules to supplement the minimum course content for required ethics training. The additional course content must include:

- Known efforts by foreign countries of concern to target and influence subnational governments, including, but not limited to, the Chinese Communist Party’s United Front strategy.⁶⁷ The term “foreign country of concern” has the same definition as in s. 287.138, F.S.
- How to identify, recognize, and report suspected foreign influence campaigns.
- Prohibitions on receiving gifts from foreign countries of concern or designated foreign terrorist organizations. The term “designated foreign terrorist organization” has the same definition as in s. 775.32, F.S.

Governmental Contracting with Entities of Foreign Countries of Concern (Section 5)

Present Situation

Government Contracting and Procurement

Current law requires a competitive solicitation⁶⁸ process when state agencies wish to procure commodities or contractual services that cost more than \$35,000.⁶⁹ Depending on the type of contract and scope of work or goods sought, an agency may use one of three procurement methods:

- Invitation to bid (ITB): An agency must use an ITB when the agency is capable of specifically defining the scope of work for which a contractual service is required or when the agency is capable of establishing precise specifications defining the actual commodity or group of commodities required.⁷⁰
- Request for proposals (RFP): An agency must use an RFP when the purposes and uses for which the commodity, group of commodities, or contractual service being sought can be specifically defined and the agency is capable of identifying necessary deliverables.⁷¹

⁶⁷ China employs a political influence strategy known as “United Front” to manage, co-opt, and mitigate “potential opposition to the policies and authority of the Chinese Communist Party (CCP).” The CCP entity responsible for coordinating this effort, the United Front Work Department, primarily focuses on managing groups within China but also carries out significant activities abroad. In the international context, United Front work includes efforts aimed at engaging and influencing ethnic Chinese individuals, as well as broader influence operations conducted through affiliated organizations that target foreign institutions and governments. *See* U.S-China Economic and Security Review Commission, “China’s Overseas United Front Work: Background and Implications for the United States,” available at <https://www.uscc.gov/research/chinas-overseas-united-front-work-background-and-implications-united-states> (last visited January 29, 2026).

⁶⁸ A “competitive solicitation” is the process of requesting and receiving two or more sealed bids, proposals, or replies submitted by responsive vendors in accordance with the terms of a competitive process, regardless of the method of procurement (s. 287.012(6), F.S.)

⁶⁹ Sections 287.057 and 287.017, F.S.

⁷⁰ Section 287.057(1)(a), F.S.

⁷¹ Section 287.057(1)(b), F.S.

- Invitation to negotiate (ITN): An ITN is a solicitation used by an agency that is intended to determine the best method for achieving a specific goal or solving a particular problem and identifies one or more responsive vendors with which the agency may negotiate in order to receive the best value.⁷²

Scrutinized List of Prohibited Countries

Companies on the Scrutinized Companies with Activities in Sudan list, on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector list, or engaged in business operations in Cuba or Syria are prohibited from bidding on, submitting a proposal for, or entering into or renewing a contract with an agency or a local governmental entity for goods or services of \$1 million or more.⁷³ Similarly, a company on the Scrutinized Companies that Boycott Israel list or a company that engaged in a boycott of Israel may not bid on, submit a proposal for, or enter into or renew a contract with an agency or local governmental entity for goods or services of \$100,000 or more.⁷⁴ The State Board of Administration is charged with maintaining a complete list of scrutinized companies.⁷⁵

Governmental Contracting with Foreign Countries of Concern, Generally

Current law prohibits a governmental entity⁷⁶ from knowingly entering into a contract with, or renewing a contract with, an entity which would give access to an individual's personal identifying information if:

- The entity is owned by the government of a foreign country of concern;⁷⁷
- The government of a foreign country of concern has a controlling interest⁷⁸ in the entity; or
- The entity is organized under the laws of or has its principal place of business in a foreign country of concern.⁷⁹

In addition, a governmental entity may not accept a bid on, a proposal for, or a reply to, or enter into a contract with an entity which would grant the entity access to an individual's personal information unless the entity provides the governmental entity with an affidavit signed by an officer or representative of the entity under penalty of perjury attesting that the entity does not meet any of the specified criteria regarding foreign countries of concern.⁸⁰

⁷² Section 287.057(1)(c), F.S.

⁷³ Section 287.135(2)(b), F.S.

⁷⁴ Section 287.135(2)(a), F.S.

⁷⁵ Sections 215.4725 and 215.473(2)(a), F.S.

⁷⁶ "Governmental entity" means any state, county, district, or authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, but not limited to, the Commission on Ethics, the Public Service Commission, the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency (s. 287.138(1)(d), F.S.).

⁷⁷ "Foreign country of concern" means the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolas Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern (s. 287.138(1)(c), F.S.).

⁷⁸ "Controlling interest" means possession of the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or entity that directly or indirectly has the right to vote 25 percent or more of the voting interests of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest. Section 287.138(1)(a), F.S.

⁷⁹ Section 287.138(2)-(3), F.S.

⁸⁰ Section 287.138(4)(a), F.S.

Effect of Proposed Changes

The bill:

- Creates an additional definition, providing that “foreign source of concern” has the same meaning as in s. 496.404, F.S.
- Revises the prohibition related to governmental contracts and access to personal information to instead prohibit a governmental entity from knowingly entering into a contract with an entity in which a foreign *source* of concern has an ownership or controlling interest if the contract would give access to an individual’s personal identifying information.
- Creates a new prohibition against government contracting for information technology or for any services related to information technology:
 - With an entity in which a foreign source of concern has an ownership or controlling interest; or
 - Through a third-party seller when the information technology is designed, manufactured, or assembled by any entity in which a foreign source of concern has an ownership or controlling interest.
- Expands the existing prohibition against specified government procurement activities to also include an activity or contract that would involve information technology.

The bill also updates current dates by which governmental entities must comply with the law’s provisions, to incorporate the changes made by the bill.

Intergovernmental Relations (Section 6)

Present Situation

The Florida Secretary of State serves as the state protocol officer.⁸¹ Among other duties, the state protocol officer is responsible for consular operations and the sister city and sister state programs.⁸²

A consul is an official who is appointed by his or her government to live in a foreign city and protect and promote that government’s citizens and interests there. An honorary consul is someone who is approved by the United States Department of State to perform limited consular services, which might include fostering business relationships and hosting cultural education. The U.S. Department of State’s Office of Foreign Missions authorizes the establishment of consular posts in the United States.⁸³ The Florida Department of State’s website currently lists 117 consulate locations within the state.⁸⁴

A sister city, county, or state relationship is a long-term partnership that is broadly based between two communities in two countries. The relationship receives official recognition after the highest elected or appointed official from each of the communities signs off on the

⁸¹ Section 15.01(1), F.S.

⁸² Section 288.816(1), F.S.

⁸³ See Florida Department of State, *Consular Offices in Florida*, <https://dos.fl.gov/cultural/about-us/office-of-international-affairs/consular-offices-in-florida/> (last visited Feb. 1, 2026).

⁸⁴ *Id.* The department’s website cautions that it is not responsible for the accuracy of the list and suggests contacting the respective consulate for information.

agreement.⁸⁵ Each relationship is independent and may include municipal, business, trade, educational and cultural exchanges and projects.⁸⁶ According to the Directory of Bi-National Chambers and Sister Cities in Florida, in December 2024, 58 Florida cities were engaged in sister city relationships.⁸⁷

Effect of Proposed Changes

The bill provides that the state protocol officer's activities regarding the sister city and sister state programs may not include encouragement of any affiliations with foreign countries of concern, as defined in s. 288.860, F.S., or their subdivisions.

In addition, the bill requires the Department of State to publish on its website, and update quarterly:

- A current and accurate list of all foreign consulate offices.
- A current and accurate list of all sister city and sister state affiliations, including a copy of all such agreements.

Relationships between Postsecondary Institutions in Florida and Foreign Countries (Section 7)

Present Situation

Current law establishes Florida linkage institutes, which are relationships between postsecondary institutions in this state and those of selected foreign countries. They are intended to assist in the development of stronger economic, cultural, educational, and social ties between Florida and strategic foreign countries through:

- Expanded public and private dialogue on cooperative research and technical assistance activities;
- Increased bilateral commerce;
- Student and faculty exchange;
- Cultural exchange; and
- The enhancement of language training skills.⁸⁸

⁸⁵ Florida Department of State, *Florida Sister Cities*, <https://dos.fl.gov/cultural/about-us/office-of-international-affairs/florida-sister-cities/> (last visited Feb. 1, 2026).

⁸⁶ *Id.*

⁸⁷ Florida Department of State, *Directory of Bi-National Chambers and Sister Cities in Florida*, <https://files.floridados.gov/media/709662/bi-national-chambers-and-fl-sister-cities-as-of-december-2024.pdf> (last visited Feb. 1, 2026).

⁸⁸ Section 288.8175(1), F.S.

There are currently 11 linkage institutes established in statute.⁸⁹ Each institute is allowed to exempt from in-state residency tuition requirements up to 25 full-time equivalent students per year from the respective host countries.⁹⁰

Effect of Proposed Changes

The bill:

- Removes the Florida-China Institute from the list of established linkage institutes.
- Repeals the exemption for in-state residency tuition requirements.
- Creates a new prohibition, that a linkage institute may not enter into any agreement or participate in any activities with a foreign country of concern or any organization in a foreign country of concern. “Foreign country of concern” has the same meaning as in s. 288.860, F.S.

International Cultural Agreements (Section 8)

Present Situation

A state agency, political subdivision, or public school authorized to expend state-appropriated funds or levy ad valorem taxes may not participate in any agreement with or accept any grant from a foreign country of concern, or any entity controlled by a foreign country of concern, which:

- Constrains the freedom of contract of such public entity;
- Allows the curriculum or values of a program in the state to be directed or controlled by the foreign country of concern; or
- Promotes an agenda detrimental to the safety or security of the United States or its residents.⁹¹

Before the execution of any cultural exchange agreement with a foreign country of concern, the substance of the agreement must be shared with federal agencies concerned with protecting national security or enforcing trade sanctions, embargoes, or other restrictions under federal law.⁹² If such a federal agency provides information suggesting that such an agreement promotes an agenda detrimental to the safety or security of the United States or its residents, the public entity may not enter into the agreement.⁹³

⁸⁹ Section 288.8175(4), F.S. The institutes are the Florida-Brazil Institute (University of Florida and Miami-Dade College), Florida-Costa Rica Institute (Florida State University and Valencia College), Florida Caribbean Institute (Florida International University and Daytona State College), Florida-Canada Institute (University of Central Florida and Palm Beach State College), Florida-China Institute (University of West Florida, University of South Florida, and Eastern Florida State College), Florida-Japan Institute (University of South Florida, University of West Florida, and St. Petersburg College), Florida-France Institute (New College of the University of South Florida, Miami Dade College, and Florida State University), Florida-Israel Institute (Florida Atlantic University and Broward College), Florida-West Africa Institute (Florida Agricultural and Mechanical University, University of North Florida, and Florida State College at Jacksonville), Florida-Eastern Europe Institute (University of Central Florida and Lake-Sumter State College), and Florida-Mexico Institute (Florida International University and Polk State College).

⁹⁰ Section 288.8175(5), F.S. Section 1009.21, F.S., sets forth requirements for resident status for tuition purposes.

⁹¹ Section 288.860(2), F.S.

⁹² Section 288.860(2)(c), F.S.

⁹³ *Id.*

Effect of Proposed Changes

The bill deletes the specified conditions under which the prohibition on agreements or grants is effective, thereby making it a blanket prohibition without exceptions. The bill also provides that all international cultural agreements with a foreign country of concern or its subdivisions entered into under the existing law, including, but not limited to, sister city agreements, are terminated as of July 1, 2026.

Protection of State Critical Infrastructure Facilities (Section 11)***Present Situation***

Current law provides a number of definitions of “critical infrastructure” and related protections. Examples include:

- A criminal penalty for a person who knowingly and intentionally tampers with and damages infrastructure of certain manufacturing, mining, energy, water treatment, transportation, military, or civil defense facilities or locations, or of dams.⁹⁴
- A public records exemption for specified information relating to information technology and operational technology, the incapacity or destruction of which would negatively affect security, economic security, public health, or public safety.⁹⁵
- A prohibition against operating a drone over specified manufacturing, mining, energy, water treatment, transportation, military, or correctional or detention facilities, or over dams.⁹⁶
- Authorization for a security officer of a specified chemical, energy, shipping, or telecommunications facility to temporarily detain a person suspected of committing a crime.⁹⁷
- A prohibition against foreign ownership of land that is within 10 miles of a specified chemical, energy, water treatment, telecommunications, or transportation facility or location.⁹⁸
- A prohibition against and related criminal penalty for a person who receives military-type training from a designated foreign terrorist organization and uses or attempts to use such training with the intent to damage a specified chemical, energy, shipping, or telecommunications facility.⁹⁹

Effect of Proposed Changes

The bill creates a new section of law, within the chapter prohibiting the purchase of certain land by foreign principals, to govern the protection of state critical infrastructure facilities from foreign sources of concern. It assigns the term “foreign source of concern” the same meaning as in s. 496.404, F.S., and “business entity” the same meaning as in s. 112.312, F.S.¹⁰⁰ The bill

⁹⁴ Section 812.141, F.S.

⁹⁵ Section 119.0725, F.S.

⁹⁶ Section 330.41, F.S.

⁹⁷ Section 493.631, F.S.

⁹⁸ Sections 692.201(2) and 692.203(1), F.S.

⁹⁹ Section 775.32, F.S.

¹⁰⁰ Section 112.312(5), F.S., defines “business entity” to mean any corporation, partnership, limited partnership, company, limited liability company, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously or not, doing business in this state.

provides that “critical infrastructure facility” means any of the following, if it employs measures such as fences, barriers, or guard posts that are designed to exclude unauthorized persons:

- A chemical manufacturing facility.
- A refinery.
- An electrical power plant.
- A water treatment facility or wastewater treatment plant.
- A liquid natural gas terminal.
- A telecommunications central switching office.
- A gas processing plant, including a plant used in the processing, treatment, or fractionation of natural gas.
- A seaport.
- A spaceport territory.
- An airport.¹⁰¹

The bill prohibits a governmental entity; a business entity constructing, repairing, operating, or otherwise having significant access to a critical infrastructure facility; or a foreign source of concern from entering into a contract or other agreement relating to a critical infrastructure facility within this state if the contract or agreement authorizes a foreign source of concern to directly or remotely access or otherwise control such critical infrastructure facility.

Beginning January 1, 2027, the bill requires a business entity constructing, repairing, operating, or otherwise having significant access to a critical infrastructure facility in Florida which entered into a contract or other agreement before the bill’s effective date with a foreign source of concern relating to such critical infrastructure facility to register with the Department of Commerce¹⁰² by January 1 of each year for the remainder of the term of the contract or agreement. The Department of Commerce must adopt a form for such registration that includes:

- The name of the business entity constructing, repairing, operating, or otherwise having significant access to critical infrastructure facilities.
- The address of the critical infrastructure facility the entity is constructing, repairing, or operating or to which the entity otherwise has significant access.
- A description of the specific terms of the contract or agreement which authorizes a foreign source of concern to engage in constructing, repairing, or operating or to otherwise have significant access to the critical infrastructure facility.

The bill provides that a business entity that fails to register as required commits a second-degree misdemeanor and is subject to a civil penalty of \$1,000 for each day the violation continues.

Before commencing any sale or other transfer of control of a critical infrastructure facility in Florida, the bill requires the business entity selling or otherwise transferring control of the

¹⁰¹ Section 692.201(2), F.S.

¹⁰² The purpose of the Department of Commerce is to assist the Governor in working with the Legislature, state agencies, business leaders, and economic development professionals to formulate and implement coherent and consistent policies and strategies designed to promote economic opportunities. The department is the state’s chief agency for business recruitment and expansion and economic development. See s. 20.60, F.S., and “Department of Commerce,” Office of Program Policy Analysis and Government Accountability, available at <https://oppaga.fl.gov/ProgramSummary/ProgramDetail?programNumber=6101> (last visited January 27, 2026).

facility to provide an affidavit, signed under penalty of perjury, to the Department of Commerce attesting that the buyer or transferee is not a foreign source of concern.

The bill prohibits information technology¹⁰³ produced or manufactured by a foreign source of concern or a company under the direction of a foreign source of concern from being used in a critical infrastructure facility located in or serving Florida.

The bill requires the Department of Commerce to adopt rules to implement the new provisions.

Criminal Offenses by Foreign Agents (Section 12)

Present Situation

Reclassification occurs when the Legislature *increases the degree of a conviction*. The reclassification attaches at the time the charges are filed.¹⁰⁴ Reclassification of a criminal conviction from one degree to a higher degree stems from an express and explicit grant of statutory authority.¹⁰⁵

Current law provides a reclassified, increased criminal penalty for a person who commits trafficking in trade secrets if the action was committed with the intent to benefit a foreign government, a foreign agent, or a foreign instrumentality.¹⁰⁶ “Foreign agent” means any officer, employee, proxy, servant, delegate, or representative of a foreign government.¹⁰⁷ Current law also provides a reclassified, increased criminal penalty for a person who commits threats or extortion if that person is acting as a foreign agent.¹⁰⁸

Effect of Proposed Changes

The bill creates a new section of law providing for reclassification of criminal offenses committed for the purpose of benefiting, promoting, or furthering the interests of a foreign government, a designated foreign terrorist organization, or an agent of a foreign government or designated foreign terrorist organization. Specifically, in such cases:

- A second-degree misdemeanor is reclassified to a first-degree misdemeanor.
- A first-degree misdemeanor is reclassified to a third-degree felony.
- A third-degree felony is reclassified to a second-degree felony.
- A second-degree felony is reclassified to a first-degree felony.
- A first-degree felony is reclassified to a life felony.

The bill also provides that, in addition to any other penalties prescribed by law, a person convicted of a first-degree felony or a life felony under the new section must be sentenced to a minimum term of imprisonment of 15 years.

¹⁰³ As defined in s. 282.0041, F.S.

¹⁰⁴ *Cooper v. State*, 455 So.2d 588 (Fla. 1st DCA 1984); *Jackson v. State*, 515 So.2d 394 (Fla. 1st DCA 1987).

¹⁰⁵ *Cf. Spicer v. State*, 615 So.2d 725, 726 (Fla. 2d DCA 1993) (reversing reclassification of robbery with a mask conviction because “[p]enal statutes must be construed in terms of their literal meaning [I]f the legislature had intended section 775.0845 [Florida Statutes (1989)] to reclassify offenses, it would have so stated”).

¹⁰⁶ Section 812.081(4), F.S.

¹⁰⁷ Section 812.081(4), F.S.

¹⁰⁸ Section 836.05(2), F.S.

Unauthorized Enforcement of Foreign Law (Section 13)

Present Situation

Transnational repression occurs when foreign governments or agents “reach beyond their borders to intimidate, silence, coerce, harass, or harm members of their diaspora and exile communities in the United States.”¹⁰⁹ Such repression may include, among other actions:

- Stalking.
- Online disinformation campaigns.
- Harassment.
- Intimidation or threats.
- Cyberhacking.¹¹⁰

In 2025, Texas enacted two laws to combat attempts by foreign agents to police individuals on U.S. soil without legal authority, criminalizing:

- The unauthorized enforcement of foreign law.¹¹¹
- Transnational repression.¹¹²

Florida does not currently specifically prohibit the unauthorized enforcement of foreign law.

Effect of Proposed Changes

The bill creates a new section of law, substantially similar to the Texas law, which prohibits the unauthorized enforcement of foreign law. Specifically, the bill provides that without the approval of this state or the United States, a person may not:

- Prevent another person in this state from violating the laws of a foreign government which are not also the laws of this state or the United States.
- Investigate, monitor, or surveil another person in this state for the purposes of preventing the other person from violating the laws of a foreign government that are not also the laws of this state or the United States.

The bill makes violation of the new prohibition a third-degree felony. However, if a person violates the prohibition for the purpose of benefiting, promoting, or furthering the interests of a foreign government, a designated foreign terrorist organization, or an agent of a foreign government, the penalty is a second-degree felony.

The bill defines “agent of a foreign government or designated foreign terrorist organization” to mean a person acting on behalf of or otherwise employed or controlled by a foreign government or a designated foreign terrorist organization. “Designated foreign terrorist organization” has the same meaning as provided in s. 775.32(1), F.S. “Foreign government” has the same meaning as in s. 286.101(1), F.S.

¹⁰⁹ Federal Bureau of Investigation, *What We Investigate*, <https://www.fbi.gov/investigate/counterintelligence/transnational-repression> (last visited Feb. 1, 2026).

¹¹⁰ *Id.*

¹¹¹ Section 76.046, Texas Penal Code.

¹¹² Section 76.045, Texas Penal Code.

Governmental Contracting for Traffic Camera Systems with Foreign Countries of Concern (Section 14)

Present Situation

Florida law expressly preempts to the state the regulation of the use of cameras for enforcing the Florida Uniform Traffic Control Law.¹¹³ The only cameras currently authorized to enforce traffic laws are traffic infraction detectors (commonly known as red light cameras),¹¹⁴ speed detection systems used to enforce school zone speed limits for violations in excess of 10 miles per hour over the speed limit,¹¹⁵ and school bus infraction detection systems.¹¹⁶

A governmental entity may not knowingly enter into or renew a contract with a contracting vendor of any camera system used for enforcing Florida's Uniform Traffic Control Law if:

- The contracting vendor is owned by the government of a foreign country of concern; or
- The government of a foreign country has a controlling interest in the contracting vendor.

The terms "controlling interest" and "foreign country of concern" have the same meanings as in s. 287.138(1), F.S.¹¹⁷

Effect of Proposed Changes

The bill:

- Deletes the reference to the definition of "foreign country of concern" in s. 287.138(1), F.S.
- Creates a new definition for "foreign country of concern" that is identical to the definition in s. 287.138(1), F.S.

Effective Date (Section 15)

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not appear to require counties and municipalities to spend funds, reduce the authority of municipalities or counties to raise revenue, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

¹¹³ Section 316.0076, F.S. Ch. 316, F.S., is the Florida Uniform Traffic Control Law. The purpose of Florida Uniform Traffic Control Law is to ensure consistent and uniform regulation of traffic across Florida jurisdictions (s. 316.002, F.S.).

¹¹⁴ Section 316.0083, F.S., relating to the Mark Wandall Traffic Safety Program.

¹¹⁵ Section 316.1896, F.S.

¹¹⁶ Section 316.173, F.S.

¹¹⁷ Section 316.0078, F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Registration of Foreign Agents (Section 2)

FARA's registration requirements have been challenged in court. The first case arose in *Viereck v. United States*, 318 U.S. 236, 237 (1943).¹¹⁸ It seems that the constitutionality of FARA was apparently "assumed in that case, for it was not discussed."¹¹⁹ Additional cases in following years have construed different requirements of the Act as well as amendments made to the Act. In 1951, a federal district court determined that the Act did not interfere or limit the First Amendment guarantee of the freedom of speech or regulate the expression of ideas.¹²⁰ In 1982, the registration requirements were challenged and upheld by the Court of Appeals for the District of Columbia as not being a violation of the First Amendment.¹²¹ In 1987, the U.S. Supreme Court reviewed the Act's use of the term "political propaganda" to describe materials that were regulated under the statute. The Court upheld the constitutionality of FARA and determined that the use of the term was evenhanded and neutral.¹²² In 2024, in one of the most recent cases to interpret FARA, the U.S. Court of Appeals for the District of Columbia Circuit held that the government cannot compel someone who once acted as a foreign agent to continue to register under FARA once he or she has stopped acting as a foreign agent.¹²³

An individual or entity required to register under the bill may raise issues under the First Amendment, arguing that the requirements, under the bill, burden their ability to engage

¹¹⁸ Lynn Alvey Dawson, *Constitutional Law-Freedom of Expression-the Foreign Agents Registration Act, Meese v. Keene*, 107 S. Ct. 1862 (1987), 12 Suffolk Transnat'l L.J. 457 (1989).

¹¹⁹ *U.S. v. Peace Information Center*, 97 F. Supp. 255, 259 (D.D.C. 1951).

¹²⁰ *Id.*

¹²¹ *Attorney General v. Irish Northern Aid Committee*, 346 F. Supp 1384 (S.D. N.Y. 1972) aff'd without opinion, 465 F. 2d 1405 (2d Cir. 1972).

¹²² *Meese v. Keene*, 481 U.S. 465 (1987). See Lynn Alvey Dawson, *Constitutional Law-Freedom of Expression-the Foreign Agents Registration Act, Meese v. Keene*, 107 S.Ct. 1862 (1987), 12 Suffolk Transnat'l L.J. 457, 465 (1989) ("In *Keene v. Meese* the Court, consistent with its prior decisions, has upheld the requirements of the Foreign Agents Registration Act. By maintaining the constitutionality of the Act, the Court has indicated its reluctance to invalidate an Act of Congress where the alleged infringement of first amendment rights is slight."). But see American Civil Liberties Union and the Knight First Amendment Institute at Columbia University *amicus brief* (filed March 5, 2025) in *United States v. Terry*, No. 1:24-cr-00427 (S.D.N.Y.) (For recent arguments in support of a narrow interpretation of FARA, in an *amicus brief* for pending case, the ACLU argues that "FARA's definitions of 'foreign principal,' 'request,' 'political activities,' and 'publicity agent' can be interpreted to cover a vast array of constitutionally protected activity. Absent a narrowing interpretation, the statute risks suppressing and chilling protected speech without any legitimate governmental justification. To avoid the serious First Amendment questions that might otherwise arise, the Court should interpret FARA's terms narrowly. . . Although the government has a legitimate interest in better informing Americans about potential foreign manipulation of the U.S. political process, a broad reading of FARA's terms would sweep in a wide array of constitutionally protected speech and would likely violate the First Amendment.").

¹²³ *U.S. v. Wynn*, 104 F. 4th 348 (D.C. Cir 2024).

in constitutionally protected political speech under the First Amendment. However, court decisions addressing similar FARA requirements indicate that the disclosure and registration requirements in the bill will be upheld in any constitutional challenge.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Registration of Foreign Agents (Section 2)

The bill will likely have an indeterminate, negative impact on individuals or entities who are required to register under the bill, due to expense required to collect, maintain, file, and update the information the bill requires to be provided to the Division of Elections. Further, there will be a cost associated with individuals or entities or who are penalized for noncompliance.

Governmental Contracting with Entities of Foreign Countries of Concern (Section 5)

The bill may have an indeterminate, negative fiscal impact on business entities impacted by the expanded contracting restrictions.

International Relations (Section 6)

The bill may have an indeterminate, negative fiscal impact on communities that would otherwise engage in a sister city or sister state relationship with a community in a foreign country of concern.

Relationships between Postsecondary Institutions in Florida and Foreign Countries (Section 7)

The bill will likely have a negative fiscal impact on students from other countries who would previously have benefited from the limited exemption for in-state residency tuition requirements.

International Cultural Agreements (Section 8)

The bill may have an indeterminate, negative fiscal impact on entities controlled by a foreign country of concern to the extent that they are impacted by the bill's expanded restrictions on agreements and grants.

Protection of Critical State Infrastructure Facilities (Section 10)

The bill may have an indeterminate, negative fiscal impact on the private sector by limiting which parties may enter into specified contracts or agreements related to critical infrastructure facilities, as well as creating fines associated with failing to register specified information related to specified contracts or agreements related to critical infrastructure facilities.

Criminal Offenses by Foreign Agents (Section 11)

The bill will have an indeterminate, negative fiscal impact on persons who are convicted of the reclassified criminal offenses.

Unauthorized Enforcement of Foreign Law (Section 12)

The bill will have an indeterminate, negative fiscal impact on persons who are convicted of violating the new prohibition on authorized enforcement of foreign law.

C. Government Sector Impact:

Registration of Foreign Agents (Section 2)

The bill will likely have an indeterminate, negative fiscal impact on the state due to the costs associated with developing and maintaining the registration system, as well as administrative oversight, compliance monitoring, and enforcement related to the system. However, revenue from fines imposed for violations may offset some of these costs.

Ethics Requirements for Public Officials and Employees (Sections 3 and 4)

The bill's expansion of the gift restriction may result in an indeterminate, negative fiscal impact on the Commission on Ethics to the extent that additional enforcement actions occur. In addition, the Commission on Ethics may incur an insignificant negative fiscal impact associated with creating the additional ethics training content and related rulemaking.

Governmental Contracting with Entities of Foreign Countries of Concern (Section 5)

The bill may result in an insignificant, negative fiscal impact on state and local governments. It expands contracting prohibitions related to business entities with connections to foreign countries of concern, and state agencies and local governments could incur costs associated with updating procurement procedures. Additionally, legal costs to the state may arise if enforcement actions are pursued. However, the costs can likely be absorbed within existing resources.

International Relations (Section 6)

The bill may have an insignificant, negative fiscal impact on the Department of State due to the creation of new publishing requirements. However, the new requirements are likely to be absorbed within existing resources.

Relationships between Postsecondary Institutions in Florida and Foreign Countries (Section 7)

Florida postsecondary institutions affiliated with the Florida-China Institute or that would otherwise participate in activities involving a foreign country of concern may incur an indeterminate fiscal impact.

International Cultural Agreements (Section 8)

The bill's expansion of restrictions on governmental agreements and grants may have an indeterminate, negative fiscal impact on governmental entities that would enter into an agreement or grant under current law.

Protection of Critical State Infrastructure Facilities (Section 10)

The bill may have an indeterminate fiscal impact on state government by limiting which parties may enter specified contracts relating to critical infrastructure, and by creating fines associated with failing to register specified information related to specified contracts and agreements related to critical infrastructure. The bill may have an indeterminate positive impact on jail beds by creating a misdemeanor offense related to failing to register specified information as required.

Criminal Offenses by Foreign Agents (Section 11)

There may be an indeterminate, negative fiscal impact to the extent that the reclassification of crimes leads to additional jail or prison bed needs. However, some costs may be offset by associated fines that are increased due to the reclassified crimes.

Unauthorized Enforcement of Foreign Law (Section 12)

There will likely be an indeterminate, negative fiscal impact on the criminal justice system to the extent that the new crime leads to additional prosecutions and increased need for jail or prison beds. However, some costs may be offset by associated fines.

VI. Technical Deficiencies:

The bill makes several references to the “Venezuelan regime of Nicolas Maduro.” Mr. Maduro, however, was captured by the United States Military on January 3, 2026. In between court proceedings, he is being held in the Metropolitan Detention Center in Brooklyn, New York. Venezuela is currently headed by Delcy Rodriguez who is described as the interim president of the country, but the United States exercises some control over the country by controlling its oil trade. Under these circumstances, it is not clear whether the “Venezuelan regime of Nicolas Maduro” continues to exist.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 112.313, 112.3142, 287.138, 288.816, 288.8175, 288.860, and 316.0078.

This bill creates the following sections of the Florida Statutes: 106.031, 692.21, 775.08255, and 775.36.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Ethics and Elections (January 28, 2026)

The committee substitute makes drafting changes to clarify language in the bill and related statutes, as well as to ensure the definitions of terms used in the bill are clear. The committee substitute also clarifies that:

- Penalties under the new state-level requirements for registration of foreign agents are for *willful* violations, to be consistent with the Florida Elections Commission's jurisdiction.
- The new course content requirements for ethics training are *in addition to* existing content requirements.

B. Amendments:

None.