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LEGISLATIVE ACTION

Senate

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House

The Committee on Judiciary (Grall) recommended the following:

Senate Amendment (with title amendment)

Delete lines 260 - 389

and insert:

state or federal law; and

(II) Are intended to:

(A) Intimidate or coerce a civilian population;

(B) Influence the policy of a government by intimidation or coercion; or

(C) Affect the conduct of a government by mass destruction, assassination, or kidnapping.



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c. The terrorist activity of the organization is an ongoing threat to the security of this state or the United States.

2. A foreign terrorist organization if the Chief of Domestic Security finds that the organization meets the following criteria:

a. The organization is designated as a foreign terrorist organization by the United States Secretary of State pursuant to s. 219 of the Immigration and Nationality Act.

b. The terrorist activity of the organization is an ongoing threat to the security of this state or the United States.

(b) The Chief of Domestic Security shall maintain a list of organizations that he or she designates as domestic terrorist organizations or foreign terrorist organizations.

(c) At least once every 5 years, the Chief of Domestic Security shall review each designation made under paragraph (a) which labels an organization a domestic terrorist organization or a foreign terrorist organization.

(2)(a) At least 7 days before making a designation under subsection (1), the Chief of Domestic Security shall provide written notice to the Governor and Cabinet of his or her intent to designate an organization as a foreign terrorist organization or a domestic terrorist organization, which notice must be accompanied by written findings regarding the basis for such designation.

(b) Upon receipt of written notice made pursuant to paragraph (a), the Governor and Cabinet may, by a majority vote, approve or reject a designation made by the Chief of Domestic Security under subsection (1).

(c) Within 7 days after approval by the Governor and



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Cabinet of a designation made by the Chief of Domestic Security under subsection (1), the Chief of Domestic Security shall publish the designation in the Florida Administrative Register.

(d) Within 30 days after publication of a designation in the Florida Administrative Register, the organization designated as a foreign terrorist organization or a domestic terrorist organization, or any member of such organizations, may challenge such designation in the Circuit Court of the Second Judicial Circuit in and for Leon County.

(e) Any criminal penalty imposed against a terrorist organization may be enhanced as provided by law.

(3) (a) An organization designated as a domestic terrorist organization or a foreign terrorist organization may petition the department, at any time, for the removal of such designation.

(b) At any time, the Governor and Cabinet may, by a majority vote, remove a designation made by the Chief of Domestic Security under subsection (1).

(4) A state agency, political subdivision, or public school district authorized to expend state-appropriated funds or levy ad valorem taxes may not expend such funds or taxes to support an organization, or a member of an organization, designated as a domestic terrorist organization or a foreign terrorist organization.

(5) The department shall adopt rules to implement this section.

Section 8. Paragraph (t) is added to subsection (1) of section 1002.421, Florida Statutes, to read:

1002.421 State school choice scholarship program



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accountability and oversight.—

(1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private school participating in an educational scholarship program established pursuant to this chapter must be a private school as defined in s. 1002.01 in this state, be registered, and be in compliance with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools, and must:

(t) Prohibit:

1. Employment of, or contracting with;

2. Ownership or operation by; or

3. Acceptance of funds from a person or an entity that is affiliated with or in any way controlled by:

a. A designated foreign terrorist organization, as defined in s. 775.32(1), or a member of such an organization;

b. A criminal gang or a criminal gang member as defined in s. 874.03;

c. A terrorist organization as defined in s. 874.03;

d. A transnational crime organization, as defined in s. 874.03, or a member of such an organization;

e. A domestic terrorist organization as defined in s. 775.32;

f. A person or an entity that has:

(I) Provided material support or resources, as defined in s. 775.33(1), to; or

(II) Received such support or resources from a designated foreign terrorist organization or a domestic terrorist



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organization, as defined in s. 775.32, or a criminal gang,
terrorist organization, or transnational crime organization, as
defined in s. 874.03; or

g. A person or an entity that has demonstrated a pattern or
practice of supporting or advocating for terrorism as defined in
s. 775.30(1).

The department shall suspend the payment of funds to a private
school that knowingly fails to comply with this subsection, and
shall prohibit the school from enrolling new scholarship
students, for 1 fiscal year and until the school complies. If a
private school fails to meet the requirements of this subsection
or has consecutive years of material exceptions listed in the
report required under paragraph (q), the commissioner may
determine that the private school is ineligible to participate
in a scholarship program.

Section 9. Subsection (2) of section 1004.06, Florida
Statutes, is amended to read:

1004.06 Prohibited expenditures.—

(2)(a) A Florida College System institution ~~or~~ state
university, Florida College System institution direct-support
organization, or state university direct-support organization
may not expend any state or federal funds to promote, support,
or maintain any programs or campus activities that:

1. ~~(a)~~ Violate s. 1000.05; ~~or~~

2. ~~(b)~~ Advocate for diversity, equity, and inclusion, or
promote or engage in political or social activism, as defined by
rules of the State Board of Education and regulations of the
Board of Governors; or



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3. Advocate for a foreign terrorist organization or a domestic terrorist organization as designated by the Chief of Domestic Security under s. 943.03102.

(b) The State Board of Education or the Board of Governors, as applicable, may withhold performance-based funding of a Florida College System institution or state university that violates subparagraph (a)3.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 38 - 51

and insert:

provide specified written notice to the Governor and Cabinet within a certain timeframe before making a designation; authorizing the Governor and Cabinet to approve or reject the designation by a majority vote; requiring the Chief of Domestic Security to publish such designation in the Florida Administrative Register within a specified timeframe after approval of the designation by the Governor and Cabinet; authorizing a designated organization to seek judicial review within a specified timeframe in a specified court; authorizing the enhancement of certain penalties; authorizing a designated organization to petition for removal of such designation in certain circumstances; authorizing the Governor and Cabinet, by a majority vote, to remove such