

**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.)

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Prepared By: The Professional Staff of the Committee on Judiciary

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BILL: CS/SB 1632

INTRODUCER: Judiciary Committee and Senator Grall

SUBJECT: Ideologies Inconsistent with American Principles

DATE: February 3, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bond	Cibula	JU	Fav/CS
2.			ACJ	
3.			FP	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Technical Changes

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**I. Summary:**

CS/SB 1632 protects the state from ideologies inconsistent with American principals. The bill seeks to protect those principles by:

- Prohibiting a court or tribunal from enforcing a provision of religious law or foreign law against any person if such application would violate a constitutional right of such person under the United States Constitution or the State Constitution;
- Providing that a domestic terrorist organization is subject to the same laws and restrictions that currently apply to a foreign terrorist organization;
- Providing that the current criminal penalty for joining a foreign terrorist organization applies to the act of joining, supporting or assisting a domestic terrorist organization;
- Allowing the Chief of Domestic Security (within FDLE), with the approval of the Governor and Cabinet, to designate a qualifying organization to be a domestic terrorist organization or a foreign terrorist organization;
- Prohibiting the state and its subdivisions from expending any monies to support a terrorist organization;
- Providing that a private school accepting vouchers may not contract with, and the school may not be owned or operated by a person affiliated with, a terrorist organization or criminal organization;
- Providing that a state university or college may not advocate for a terrorist organization, and that the state may withhold performance-based funding as a penalty for such advocacy; and

- Requiring a college or university to report to the U.S. Department of Homeland Security if a student is promoting terrorism. The student must be expelled, and the student loses the benefit of in-state tuition, fee waiver, scholarship, financial aid, and tuition assistance.

The bill is effective July 1, 2026.

## II. Present Situation:

### American Principles – In General

This bill seeks to promote American principles and protect those principles from the people who would advocate against them in a harmful manner. American principles are not defined or listed in one source, and the details of those principles is a discussion far beyond the scope of this analysis. One might say that American principles are found in our laws, our interpretation of those laws, and the collective morality of our people. The first broad statement of American principles was in the Declaration of Independence, which provides in part:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.<sup>1</sup>

The United States Constitution starts with a similar statement expressing American principles:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.<sup>2</sup>

### Foreign Laws in the Court System

It may seem odd to learn that a Florida court may refer to and even enforce a foreign civil law. It is, however, so common that law students take a course entitled “Conflict of Laws” that teaches the concepts of how to apply foreign law.<sup>3</sup> The term “foreign law” is somewhat confusing, in that technically the law of another state in the union is also considered a foreign law.

For instance, if an automobile accident occurred in Thomasville, Georgia, a lawsuit regarding that accident would normally be filed in Georgia. If, however, the at-fault driver lives in Tallahassee, the laws regarding jurisdiction of a court provide that a plaintiff can elect to file the lawsuit where the accident occurred or where the defendant resides. If the plaintiff elects to sue the defendant in Leon County court, the Leon County court may use conflict of laws principles

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<sup>1</sup> United States of America, *Declaration of Independence*, July 4, 1776.

<sup>2</sup> United States of America, *Constitution – Preamble*, September 17, 1887.

<sup>3</sup> See, e.g., FSU College of Law, *Conflict of Laws*. “This course examines the legal problems that arise when an occurrence or a case cuts across state or national boundaries: jurisdiction of courts, enforceability of foreign judgments, and choice of applicable law. The focus is on the policies, the rules of law, and the constitutional requirements in private interstate law.”

Published at <https://law.fsu.edu/courses/conflict-laws>.

that provide that the law of a foreign state, Georgia, determines the applicable traffic laws and fault for the accident.

Florida courts honor the concept of “comity,” which is the principle that “the courts of one state or jurisdiction will give effect to the laws and judicial decisions of another state, not as a matter of obligation, but out of deference and respect.”<sup>4</sup> “[T]he rules of comity may not be departed from, unless in certain cases for the purpose of necessary protection of our own citizens, or of enforcing some paramount rule of public policy.”<sup>5</sup> The concept is found in the United States Constitution, which provides: “Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.”<sup>6</sup>

Most cases in the courts are not decided under the foreign law of another nation, they are decided by local, state and federal laws that conform to the constitutions of the United States and Florida. The law of a foreign country’s jurisdiction or system may, however, be recognized in Florida in a variety of circumstances.

The statutes provide that a “court may take judicial notice of . . . laws of foreign nations and of an organization of nations.”<sup>7</sup> However, even if recognized, the laws of foreign nations are not necessarily enforced unless there is a reason to do so, usually by prior agreement of the parties. Where the parties have used their freedom to enter into a contract and to include in that contract an agreement to use a foreign law, one may argue that this still follows American principles.

If an agreement includes a choice of law clause providing that it will be governed and construed in accordance with the laws of another nation, the choice of law clause may be enforceable, even if the law to be applied is different than Florida law.<sup>8</sup> For instance, Florida courts may enforce a prenuptial contract according to the law of the place where it was entered into unless enforcement would be contrary to public policy or unconstitutional.<sup>9</sup> In *Akileh v. Elchahal*,<sup>10</sup> the court enforced the parties’ Islamic ante-nuptial agreement, arguably a religious arrangement, since it complied with Florida contract law and the court found nothing in the contract unconscionable. However, if a foreign law frustrates the public policy of this state or is not established with specificity as a matter of fact,<sup>11</sup> it will not be enforced. On the other hand, where the husband sought to enforce a Danish prenuptial agreement which left nothing to the wife in the event of divorce, the court refused because “to do so would bring harm to a Florida citizen or would frustrate an established public policy of this state.”<sup>12</sup>

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<sup>4</sup> *Hopkins v. Lockheed Aircraft Corp.*, 201 So. 2d 743 (Fla. 1967).

<sup>5</sup> *State Farm Mut. Auto. Ins. Co., v. Roach*, 945 So. 2d 1160, 1164 (Fla. 2006).

<sup>6</sup> U.S. CONST., art. IV, s. 1 (capitalization in original).

<sup>7</sup> Section 90.202, F.S.

<sup>8</sup> *McNamara v. McNamara*, 40 So.3d 78, 80 (Fla. 5th DCA 2010).

<sup>9</sup> *Gessler v. Gessler*, 273 F.2d 302 (5th Cir. 1959).

<sup>10</sup> 666 So.2d 246 (Fla. 2d DCA 1996).

<sup>11</sup> See *Courtlandt Corp. v. Whitmer*, 121 So.2d 57 (Fla. 2d DCA 1960); cf. *Hieber v. Hieber*, 151 So.2d 646 (Fla. 3d DCA 1963) (law of foreign state).

<sup>12</sup> *Gustafson v. Jensen*, 515 So.2d 1298 (Fla. 3d DCA 1987).

Florida courts may also defer to ecclesiastical law. The First Amendment prevents courts from resolving internal church disputes that would require adjudication of questions of religious doctrine. . . . It is not within the judicial function and judicial competence of civil courts to determine which of two competing interpretations of scripture are correct. Instead, civil courts must defer to the interpretations of religious doctrine made by the highest ecclesiastical tribunal. Thus, the First Amendment provides churches with the power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.<sup>13</sup>

Current Florida statutes address these issues. Law in the family law context includes the “Uniform Premarital Agreement Act,” which provides that premarital agreements, including their choice of law provisions, are generally enforceable.<sup>14</sup> Court orders from a support or dissolution of marriage proceeding in another jurisdiction are generally valid and enforceable in Florida courts pursuant to the Uniform Interstate Family Support Act.<sup>15</sup> A request to apply the law of a foreign country to a family law case in Florida is void if the foreign law contravenes the strong public policy of this state or if the law is unjust or unreasonable.<sup>16</sup>

In the general civil law, a Florida court may recognize a legitimate money judgment from another country and may enforce collection of the judgment. The Uniform Out-of-Country Foreign Money-Judgment Recognition Act governs the registration and enforcement of a civil judgment entered by a court in a foreign country that the judgment creditor is trying to enforce against a Florida resident or against Florida property.<sup>17</sup>

The Act provides that an out-of-country foreign judgment is not conclusive if:

- The judgment was rendered under a system that does not provide impartial tribunals or procedures compatible with the requirements of due process of law;
- The foreign court did not have personal jurisdiction over the defendant; or
- The foreign court did not have jurisdiction over the subject matter.<sup>18</sup>

An out-of-country foreign judgment need not be recognized if:

- The defendant in the proceedings in the foreign court did not receive notice of the proceedings in sufficient time to enable him or her to defend;
- The judgment was obtained by fraud;
- The cause of action or claim for relief on which the judgment is based is repugnant to the public policy of this state;
- The judgment conflicts with another final and conclusive order;
- The proceeding in the foreign court was contrary to an agreement between the parties under which the dispute in question was to be settled otherwise than by proceedings in that court; or
- In the case of jurisdiction based only on personal service:
  - The foreign court was a seriously inconvenient forum for the trial of the action;

<sup>13</sup> *Malicki v. Doe*, 814 So. 2d 347, 355–56 (Fla. 2002) (internal quotes and citations omitted).

<sup>14</sup> See s. 61.079, F.S.

<sup>15</sup> Section 88.6041, F.S. See generally ch. 88, F.S.; *Keeton v. Keeton*, 807 So.2d 186 (Fla. 1st DCA 2002) (holding that property settlement agreement was enforceable in Florida with Kentucky law controlling), and *Blitz v. Florida Dept. of Revenue ex rel. Maxwell*, 898 So.2d 121, 125 (Fla. 4th DCA 2005).

<sup>16</sup> Section 61.0401, F.S.

<sup>17</sup> Section 55.601-.607, F.S.

<sup>18</sup> Section 65.605(1), F.S.

- The foreign jurisdiction where judgment was rendered would not give recognition to a similar judgment rendered in this state;
- The cause of action resulted in a defamation judgment obtained in a jurisdiction outside the United States unless the court sitting in this state before which the matter is brought first determines that the defamation law applied in the foreign court's adjudication provided at least as much protection for freedom of speech and press in that case as would be provided by the United States Constitution and the State Constitution;
- The judgment was rendered in circumstances that raise substantial doubt about the integrity of the rendering court with respect to the judgment; or
- The specific proceeding in the foreign court leading to the judgment was not compatible with the requirements of due process of law.<sup>19</sup>

### **Terrorism – In General**

Acts of terrorism are currently prohibited by numerous federal and state laws. At its most basic level, a terrorist uses violence, whether actual or threatened, in an attempt to change society and government to conform to the terrorist's ideals of how society and government should operate. The terrorist intends to interfere with the American principles of freedom, principles such as the freedom to live, the freedom to be protected from harm, the freedom to travel, the freedom to associate with others, the freedom to speak out for peaceful change, and the freedom to quietly live pursuant to our own beliefs so long as we do not harm others.

The state criminal code definition of terrorism is the commission of a criminal act that is violent or dangerous to human life and that is intended to intimidate, injure or coerce the civilian population, or to influence or coerce a government, or otherwise affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.<sup>20</sup>

### **Terrorism – Recruitment and Promotion in the Education System**

“The long-term survival of terrorist organizations relies on their ability to attract new members and maintain an ongoing terrorist recruitment cycle. The numbers of terrorist organization members may decrease due to counterterrorism operations or defections, forcing the leaders of those groups to seek new members. Preventing terrorist recruitment is one of the most effective and least lethal methods of countering terrorism, and yet it is often overlooked by those combating terrorism.”<sup>21</sup>

“Young people are a vital source of support for many terrorist groups, with roles ranging from cooks to armed fighters. But the ways young people are recruited vary widely across contexts. In many cases, young people join terrorist groups because they are duped, trafficked, kidnapped, or forcibly recruited. Others join terrorist groups voluntarily owing to the appeal of a group-based identity; perceptions of exclusion, grievances, or cultural threats; the promise of economic

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<sup>19</sup> Section 65.605(2), F.S.

<sup>20</sup> Section 775.30, F.S.

<sup>21</sup> Yayla, *Prevention of Recruitment to Terrorism*, ch. 13 of Handbook of Terrorism Prevention and Preparedness, International Centre for Counter-Terrorism, <https://icct.nl/handbook-terrorism-prevention-and-preparedness>.

stability; prospects of fame, glory, or respect; and personal connections, including family and friendship networks.”<sup>22</sup>

College campuses are often targeted by terrorist organizations for recruitment activities. For instance, the “influence of Hamas and its associated networks on US campuses represents a strategic adaptation that exploits academic freedom and civil liberties to further its extremist agenda.”<sup>23</sup>

In the current state fiscal year, the Legislature appropriated \$31.5 billion to education, representing 27.4% of the total expenditures.<sup>24</sup> Nearly half of the state’s general revenue funding is used for education.<sup>25</sup>

### **Chief of Domestic Security**

The executive director of the Department of Law Enforcement, or a member of the department designated by the executive director, is the Chief of Domestic Security.<sup>26</sup> Current duties of the Chief of Domestic Security include:

- Coordinating the efforts of the department in the ongoing assessment of this state's vulnerability to, and ability to detect, prevent, prepare for, respond to, and recover from, acts of terrorism within or affecting this state and immigration enforcement incidents within or affecting this state.
- Prepare recommendations for the Governor, the President of the Senate, and the Speaker of the House of Representatives, which are based upon ongoing assessments to limit the vulnerability of the state to terrorism and immigration enforcement incidents.
- Coordinate the collection of proposals to limit the vulnerability of the state to terrorism and immigration enforcement incidents.

## **III. Effect of Proposed Changes:**

### **Limiting How a Court may Apply Foreign Laws**

The bill creates s. 2.05, F.S. to address the application of religious law or foreign law. The bill applies to all areas in which a court might refer to religious law or foreign law and to all judicial officers and others who make legal decisions. It provides that a court, an administrative law judge, a hearing officer, an agency, or an arbitration panel or tribunal may not enforce a provision of religious law or foreign law against a person if such application would violate a constitutional right of such person under the United States Constitution or the State Constitution. The specific circumstances for the enforcement of a foreign law or religious law that might

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<sup>22</sup> Darden, *Tackling Terrorists’ Exploitation of Youth*, p.1 (2019), <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/05/report/tackling-terrorists-exploitation-of-youth/Tackling-Terrorists-Exploitation-of-Youth.pdf>.

<sup>23</sup> George Washington University, *Hamas’s Influence on US Campuses: A Study of Networks, Strategies, and Ideological Advocacy*, p. 21 (2024), [https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2024-11/Pamphlet\\_compressed.pdf](https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2024-11/Pamphlet_compressed.pdf).

<sup>24</sup> The Florida Legislature, *Fiscal Analysis in Brief, 2025 Legislative Session*, p. 2.

<sup>25</sup> *Id.* at 5. Actual GR funding is \$22,780.6 billion or 45.3%.

<sup>26</sup> Section 943.0311(1), F.S.

violate a person's constitutional rights seem most likely to arise from a contractual choice of law clause.

The bill defines these terms:

- “Foreign law” means a legal code or formal system of law of a foreign country or nation, or of an international organization.
- “Religious law” means a legal code or formal system of law associated with a religion and based on the sacred texts or traditions of such religion. The term includes Sharia law.

There are exceptions to the terms “religious law” and “foreign law” which have the effect that the following laws are not regulated or limited by this bill:

- The natural law or natural rights, as such law or rights are understood within the legal tradition of this state or the United States.
- A provision of the United States Constitution or a constitution of any one of the several states.
- A provision of domestic federal or state law.
- The common law, including the common law as described in s. 2.01, F.S.
- A provision of law of a Native American tribe within a state or territory of the United States.

The bill also creates an exception to provide that the statute does not apply to adjudication of ecclesiastical matters of a religious organization, including the selection, appointment, discipline, or removal of clergy or an interpretation of doctrine.

### **Expanding the Scope of Terrorism-Related Criminal Offenses**

The bill expands numerous felony offenses related to terrorism by a foreign terrorist organization to also make unlawful the same act if the offense is committed in relation to a domestic terrorist organization. A “domestic terrorist organization” means an organization designated as a domestic terrorist organization by the Chief of Domestic Security under s. 943.03102, F.S. The expanded offenses are:

- The current second degree felony offense for using terrorist training provided by a foreign terrorist organization with the intent to harm, and the related first degree felony if the act results in serious bodily injury or death to a person, in s. 775.32, F.S., is amended to also criminalize that same conduct if related to a domestic terrorist organization. The same penalties apply.
- The current first degree felony offense for providing material support or resources to a foreign terrorist organization in s. 775.33, F.S., is amended to also criminalize providing support to a domestic terrorist organization. The same penalties apply.
- The current second degree felony applicable where a person willfully becomes a member of a foreign terrorist organization with the intent to engage in terrorism, in s. 775.34, F.S., is amended to also criminalize the act of willfully joining a domestic terrorist organization with the intent to engage in terrorism. The same penalties apply.

The bill also clarifies the criminal laws on gangs at ch. 874, F.S., to change references to terrorism to instead reference foreign or domestic terrorism.

## **Designation as a Terrorist Organization**

The bill creates s. 943.03102, F.S., regarding designation of a terrorist organization, removal of the designation, and the effect of designation.

The Chief of Domestic Security may designate an organization as a domestic terrorist organization, with the approval of the Governor and Cabinet, if the Chief finds that the organization meets the following criteria:

- The organization is based in or operates in this state or in the United States.
- The organization engages in terrorist activities that:
  - Involve acts dangerous to human life which violate state or federal law; and
  - Are intended to:
    - Intimidate or coerce a civilian population;
    - Influence the policy of a government by intimidation or coercion; or
    - Affect the conduct of a government by mass destruction, assassination, or kidnapping.
- The terrorist activity of the organization is an ongoing threat to the security of this state or the United States.

The Chief of Domestic Security may designate an organization as a foreign terrorist organization if the Chief finds that the organization meets the following criteria:

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

The bill requires the Chief of Domestic Security to maintain a list of organizations that have been designated as a domestic terrorist organization or a foreign terrorist organization. At least once every 5 years, the Chief of Domestic Security must review each designation that has labeled an organization a domestic terrorist organization or a foreign terrorist organization.

Prior to making an initial designation, the Chief of Domestic Security must provide to the Governor and Cabinet written notice at least 7 days prior to the designation of his or her intent to designate an organization as a foreign terrorist organization or a domestic terrorist organization. The notice must be accompanied by written findings regarding the basis for such designation. The Governor and Cabinet may, by a majority vote, approve or reject a designation.

Within 7 days after approval by the Governor and Cabinet of a designation made by the Chief of Domestic Security, the Chief must publish the designation in the Florida Administrative Register. 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 the designated organization, may challenge the designation in the Circuit Court of the Second Judicial Circuit in and for Leon County.

An organization designated as a domestic terrorist organization or a foreign terrorist organization may petition the Department of Law Enforcement, at any time, for the removal of such designation. At any time, the Governor and Cabinet may, by a majority vote, remove a designation.

In addition to the other effects upon an organization that is designated, the bill provides that 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.

The bill directs the Department of Law Enforcement to adopt rules to implement the designation of an organization.

### **Addressing Terrorism Links to Educational Institutions**

#### ***Private Schools Accepting School Choice Vouchers***

The bill amends s. 1002.421, F.S., to add an additional requirement that a private school must meet in order to qualify to participate in the school choice scholarship program. A private school participating in an educational scholarship program must prohibit employment of, contracting with, ownership or operation by, or acceptance of funds from a person or an entity that is affiliated with or in any way controlled by:

- A designated foreign terrorist organization, or a member of such an organization;
- A criminal gang or a criminal gang member;
- A terrorist organization;
- A transnational crime organization or a member of such an organization;
- A domestic terrorist organization;
- A person or an entity that has provided material support or resources to, or received such support or resources from, a designated foreign terrorist organization, a domestic terrorist organization, a criminal gang, a terrorist organization, or a transnational crime organization;
- or
- A person or an entity that has demonstrated a pattern or practice of supporting or advocating for terrorism.

#### ***Universities and Colleges***

The bill amends s. 1004.06, F.S., to add that a Florida College System institution, 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 advocate for a foreign terrorist organization or a domestic terrorist organization. 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 this restriction.

#### ***Postsecondary Students Found to be Promoting Terrorism***

The bill requires that a postsecondary educational institution take the following actions upon finding that a student attending the institution pursuant to a student visa has promoted a foreign or domestic terrorist organization:

- Report the status of the student to the Department of Homeland Security;
- Immediately expel the student;

- Assess the student the out-of-state tuition fee;
- Disqualify the student from receiving any form of fee waiver; and
- Disqualify the student from receiving any form of grant, financial aid, scholarship or tuition assistance.

The bill is effective July 1, 2026.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

The bill does not define what it means to “promote” terrorism so it is possible that this bill may implicate First Amendment principles. On the other hand, the courts have allowed prosecution of individuals associated with a known terrorist organization who were providing training in nonviolent advocacy<sup>27</sup>

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

A person promoting terrorism might incur significant costs and loss of income due to this bill. A postsecondary student promoting terrorism could lose scholarships, grants, and the like while incurring fees that will be owed to the institution.

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<sup>27</sup> *Holder v. Humanitarian Law Project*, 561 U.S. 1 (2010) (ruling that individuals advocating for a designated foreign terrorist organization were providing material support to a terrorist organization and were not protected by the First Amendment).

C. **Government Sector Impact:**

Government institutions, including educational institutions, may lose an unknown amount of funding while incurring unknown expenses enforcing this bill.

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 775.30, 775.32, 775.33, 775.34, 874.03, 1002.421, 1004.06, 1006.61, 1009.01, 1009.23, 1009.24, and 1009.26. This bill creates the following sections of the Florida Statutes: 2.05, 943.03102, and 1009.8963.

IX. **Additional Information:**

A. **Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Judiciary on February 3, 2026:**

The committee substitute changes the definition of a terrorist organization by changing an “or” to “and” to limit the scope of the definition, thereby reflecting the historical and traditional definition of terrorist; replaces references to the “Cabinet” with references to the “Governor and Cabinet,” thereby referring to the traditional voting body (and reflecting that technically the Governor is not a member of Cabinet); and corrects a cross-reference.

B. **Amendments:**

None.