

By the Committee on Education; and Senator Diaz

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1                                   A bill to be entitled  
2       An act relating to foreign influence; creating s.  
3       286.101, F.S.; providing definitions; requiring any  
4       state agency or political subdivision to disclose  
5       certain gifts or grants received from any foreign  
6       source to the Department of Financial Services within  
7       a specified timeframe; providing an exception;  
8       requiring any entity that applies for a certain grant  
9       or proposes a certain contract to disclose to a state  
10      agency or political subdivision any current or prior  
11      interest of, contract with, or grant or gift received  
12      from a foreign country of concern under certain  
13      circumstances; specifying information to be included  
14      in the disclosure; requiring such entity to provide a  
15      copy of such disclosure to the department within a  
16      specified timeframe before applying for any grant or  
17      proposing any contract; requiring such entity to  
18      revise its disclosure within a specified timeframe  
19      under certain circumstances; providing exceptions to  
20      disclosure requirements; requiring the Department of  
21      Management Services to screen certain vendors  
22      periodically; requiring certain notification on the  
23      online procurement system; requiring the Department of  
24      Financial Services to establish and maintain an  
25      Internet website to publish the disclosures;  
26      authorizing the department to establish an online  
27      system for making such disclosures; authorizing the  
28      Department of Management Services to coordinate with  
29      the Department of Financial Services to establish such

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30 online system; requiring the Department of Financial  
31 Services to investigate allegations of certain  
32 violations under certain circumstances; authorizing  
33 the department or specified persons to request certain  
34 records; providing for the assessment of fines and  
35 penalties under certain circumstances; requiring the  
36 department to include and maintain a list of  
37 ineligible entities on a certain Internet website;  
38 providing that certain information and records  
39 relating to a gift or grant from a foreign source are  
40 not confidential or exempt from public records  
41 requirements; providing exceptions; authorizing  
42 rulemaking; creating s. 288.860, F.S.; providing  
43 definitions; prohibiting certain agencies and entities  
44 from participating in agreements with or accepting  
45 grants received from foreign countries of concern  
46 under certain circumstances; prohibiting such agencies  
47 and entities from accepting anything of value as a  
48 condition for participation in certain programs or  
49 endeavors that promote the language or culture of  
50 foreign countries of concern; creating s. 1010.25,  
51 F.S.; providing definitions; requiring institutions of  
52 higher education to semiannually report to certain  
53 entities regarding certain gifts they received  
54 directly or indirectly from a foreign source;  
55 authorizing the report to be consolidated with  
56 affiliate organizations; requiring such institutions  
57 to provide certain information regarding such gifts;  
58 requiring random inspections or audits of gifts or

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59 gift agreements by certain inspectors general;  
60 providing requirements for such inspections or audits;  
61 requiring the Board of Governors or State Board of  
62 Education, as applicable, to sanction institutions  
63 that fail to report certain gifts within a specified  
64 timeframe; providing for a civil penalty for willful  
65 violations; requiring that the proceeds from such  
66 penalty be deposited in a specified fund; providing a  
67 lesser civil penalty under specified conditions;  
68 authorizing the Attorney General or Chief Financial  
69 Officer to bring a civil action under certain  
70 circumstances; providing for attorney fees and costs;  
71 providing that certain information and records  
72 relating to a gift from a foreign source are not  
73 confidential or exempt from public records  
74 requirements; providing exceptions; authorizing the  
75 Board of Governors and State Board of Education to  
76 adopt regulations and rules, respectively; creating s.  
77 1010.35, F.S.; requiring certain state universities  
78 and other entities to screen certain foreign  
79 applicants seeking employment in specified research  
80 positions; requiring such applicants to provide  
81 additional specified information as part of the  
82 application process; requiring screening to be  
83 completed before an interview or offer of employment;  
84 requiring the president or chief administrative  
85 officer of the state university or entity to designate  
86 a research integrity office to verify certain  
87 information contained in such applications, search

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88 certain public databases, and submit certain  
89 information to specified federal agencies; specifying  
90 the conditions under which a university may approve a  
91 hire based on a risk-based determination; prohibiting  
92 the employment of an applicant who fails to make  
93 certain disclosures; providing an exception; requiring  
94 certain records to be maintained by the research  
95 integrity office; requiring such office to report the  
96 identity of any applicant who was rejected for  
97 employment to certain law enforcement agencies;  
98 requiring certain inspectors general or the Auditor  
99 General to perform an operational audit by a specified  
100 date; creating s. 1010.36, F.S.; requiring certain  
101 state universities and other entities to establish an  
102 international travel approval and monitoring program;  
103 providing requirements for such program; providing  
104 requirements for preapproval and screening for foreign  
105 travel and foreign employment-related activities  
106 engaged in by faculty, researchers, and research  
107 department staff; requiring state universities and  
108 entities to maintain certain records relating to  
109 foreign travel and activities for at least 3 years;  
110 requiring a state university or entity to provide a  
111 certain annual report to the Board of Governors or the  
112 governing board of the applicable entity; requiring a  
113 specified entity to conduct an operational audit of  
114 institutions by a specified date; providing an  
115 effective date.  
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117 Be It Enacted by the Legislature of the State of Florida:

118  
119 Section 1. Section 286.101, Florida Statutes, is created to  
120 read:

121 286.101 Foreign gifts and contracts.—

122 (1) As used in this section, the term:

123 (a) "Contract" means any agreement for the direct benefit  
124 or use of any party to such agreement, including an agreement  
125 for the sale of commodities or services.

126 (b) "Foreign country of concern" means the People's  
127 Republic of China, the Russian Federation, the Islamic Republic  
128 of Iran, the Democratic People's Republic of Korea, the Republic  
129 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian  
130 Arab Republic, including any agency of or any other entity under  
131 significant control of such foreign country of concern.

132 (c) "Foreign government" means the government of any  
133 country, nation, or group of nations, or any province or other  
134 political subdivision of any country or nation, other than the  
135 government of the United States or the government of a state or  
136 political subdivision, including any agent of such foreign  
137 government.

138 (d) "Foreign source" means any of the following:

139 1. A foreign government or an agency of a foreign  
140 government.

141 2. A legal entity, governmental or otherwise, created  
142 solely under the laws of a foreign state or states.

143 3. An individual who is not a citizen or a national of the  
144 United States or a territory or protectorate of the United  
145 States.

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146 4. An agent, including a subsidiary or an affiliate of a  
147 foreign legal entity, acting on behalf of a foreign source.

148 (e) "Gift" means any transfer of money or property from one  
149 entity to another without compensation.

150 (f) "Grant" means a transfer of money for a specified  
151 purpose, including a conditional gift.

152 (g) "Interest" in an entity means any direct or indirect  
153 investment in or loan to the entity valued at 5 percent or more  
154 of the entity's net worth or any form of direct or indirect  
155 control exerting similar or greater influence on the governance  
156 of the entity.

157 (h) "State agency" means any agency or unit of state  
158 government created or established by law.

159 (2) Any state agency or political subdivision that receives  
160 directly or indirectly any gift or grant with a value of \$50,000  
161 or more from any foreign source shall disclose such gift or  
162 grant to the Department of Financial Services within 30 days  
163 after receiving such gift or grant. Such disclosure shall  
164 include the date of the gift or grant, the amount of the gift or  
165 grant and the name and country of residence or domicile of the  
166 foreign source. Disclosure is not required if such gift or grant  
167 is disclosed under s. 1010.25.

168 (3) (a) Any entity that applies to a state agency or  
169 political subdivision for a grant or proposes a contract having  
170 a value of \$100,000 or more shall disclose to the state agency  
171 or political subdivision any current or prior interest of, any  
172 contract with, or any grant or gift received from a foreign  
173 country of concern if such interest, contract, or grant or gift  
174 has a value of \$50,000 or more and such interest existed at any

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175 time or such contract or grant or gift was received or in force  
176 at any time during the previous 5 years. Such disclosure shall  
177 include the name and mailing address of the disclosing entity,  
178 the amount of the contract, grant or gift or the value of the  
179 interest disclosed, the applicable foreign country of concern  
180 and, if applicable, the date of termination of the contract or  
181 interest, the date of receipt of the grant or gift, and the name  
182 of the agent or controlled entity that is the source or interest  
183 holder. Within 1 year before applying for any grant or proposing  
184 any contract, such entity must provide a copy of such disclosure  
185 to the Department of Financial Services.

186 (b) Disclosure under this subsection is not required with  
187 respect to:

188 1. A proposal to sell commodities through the online  
189 procurement program established pursuant to s. 287.057(22);

190 2. An application or proposal from an entity that discloses  
191 foreign gifts or grants under subsection (2) or s. 1010.25;

192 3. An application or proposal from a foreign source that,  
193 if granted or accepted, would be disclosed under subsection (2)  
194 or s. 1010.25; or

195 4. An application or proposal from a public or not-for-  
196 profit research institution with respect to research funded by  
197 any federal agency.

198 (c) A disclosure published online pursuant to subsection  
199 (5) is deemed disclosed to every state agency and political  
200 subdivision for purposes of paragraph (a). From the time a  
201 disclosure is made under paragraph (a) through the term of any  
202 awarded state grant or contract, the entity must revise its  
203 disclosure within 30 days after entering into a contract with or

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204 receiving a grant or gift from a foreign country of concern or  
205 within 30 days after the acquisition of any interest in the  
206 entity by a foreign country of concern.

207 (4) At least once every 5 years, the Department of  
208 Management Services shall screen each vendor of commodities  
209 participating in the online procurement system if such vendor  
210 has the capacity to fill an order of \$100,000 or more. Screening  
211 must be conducted through federal agencies responsible for  
212 identifying persons and organizations subject to trade  
213 sanctions, embargoes, or other restrictions under federal law.  
214 If a vendor is identified as being subject to any such  
215 sanctions, embargoes, or other restrictions, the vendor must  
216 make the disclosures required under subsection (3) until such  
217 restriction expires. A notification regarding the applicability  
218 of the disclosure requirement in subsection (3) to the vendor  
219 must be included on the online procurement system when  
220 applicable. The Department of Management Services must ensure  
221 that purchasers through the online procurement system may easily  
222 access all disclosures made by vendors participating in the  
223 system.

224 (5) The Department of Financial Services must establish and  
225 maintain an Internet website to publish the disclosures required  
226 under this section. The Department of Financial Services may  
227 establish an online system for making such disclosures. The  
228 Department of Management Services may coordinate with the  
229 Department of Financial Services to establish the online system.

230 (6) (a) Upon receiving a referral from an inspector general  
231 or other compliance officer of a state agency or political  
232 subdivision or any sworn complaint based upon substantive



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233 information and reasonable belief, the Department of Financial  
234 Services must investigate an allegation of a violation of this  
235 section.

236 (b) The Department of Financial Services, an inspector  
237 general, or any other agent or compliance officer authorized by  
238 a state agency or political subdivision may request records  
239 relevant to any reasonable suspicion of a violation of this  
240 section. An entity must provide the required records within 30  
241 days after such request or at a later time agreed to by the  
242 investigating state agency or political subdivision.

243 (7) (a) Failure to make a disclosure required under this  
244 section or failure to provide records requested under paragraph  
245 (6) (b) constitutes a civil violation punishable upon a final  
246 order of the Department of Financial Services by an  
247 administrative fine of \$5,000 for a first violation or \$10,000  
248 for any subsequent violation.

249 (b) In addition to any fine assessed under paragraph (a), a  
250 final order determining a third or subsequent violation by a  
251 state agency or political subdivision must include a  
252 determination of the identity of the officer responsible for  
253 acceptance of the undisclosed grant or gift. Such order must  
254 also include a referral by the Department of Financial Services  
255 to the Governor or other officer authorized to suspend or remove  
256 the officer responsible for acceptance of the undisclosed grant  
257 or gift from public office. A copy of such referral must be  
258 provided to the President of the Senate and the Speaker of the  
259 House of Representatives for oversight of such suspension and  
260 removal authority.

261 (c) In addition to any fine assessed under paragraph (a), a

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262 final order determining a third or subsequent violation by an  
263 entity other than a state agency or political subdivision shall  
264 automatically disqualify the entity from eligibility for any  
265 grant or contract funded by a state agency or any political  
266 subdivision until such ineligibility is lifted by the  
267 Administration Commission for good cause. The Department of  
268 Financial Services shall include and maintain an active and  
269 current list of such ineligible entities on the Internet website  
270 maintained under subsection (5).

271 (8) Except as provided in s. 1004.22(2), or information  
272 protected by any statute that is a trade secret as defined in s.  
273 812.081(1)(c) or s. 688.002(4), information and records relating  
274 to a gift or grant from a foreign source are not confidential or  
275 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
276 Constitution.

277 (9) (a) The Department of Management Services may adopt  
278 rules necessary to carry out its responsibilities under this  
279 section. The rules may identify the federal agencies to be  
280 consulted under subsection (4) and the procedure for notifying a  
281 vendor of the disclosure requirements under this section when  
282 applicable. The Department of Management Services may also adopt  
283 rules providing for the application of this section to the  
284 online procurement system.

285 (b) The Department of Financial Services may adopt rules  
286 necessary to carry out its responsibilities under this section.

287 (c) Any rules necessary to implement this section must be  
288 published by December 31, 2021, unless the applicable department  
289 head certifies in writing that a delay is necessary and the date  
290 by which the proposed rules will be published. Such

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291 certification must be published in the Florida Administrative  
292 Register and a copy provided to the Joint Administrative  
293 Procedures Committee.

294 Section 2. Section 288.860, Florida Statutes, is created to  
295 read:

296 288.860 International cultural agreements.—

297 (1) As used in this section, the term:

298 (a) "Foreign country of concern" means the People's  
299 Republic of China, the Russian Federation, the Islamic Republic  
300 of Iran, the Democratic People's Republic of Korea, the Republic  
301 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian  
302 Arab Republic, including any agency of or any other entity under  
303 significant control of such foreign country of concern.

304 (b) "Political subdivision" includes any entity under the  
305 control of or established for the benefit of a political  
306 subdivision.

307 (c) "Public school" means any education institution under  
308 the supervision of a school district and any entity under the  
309 control of or established for the benefit of a public school or  
310 school district.

311 (d) "State agency" means any agency or unit of state  
312 government created or established by law and any entity under  
313 the control of or established for the benefit of a state agency.

314 (e) "State college" means any postsecondary education  
315 institution under the supervision of the State Board of  
316 Education, including any entity under the control of or  
317 established for the benefit of a state college.

318 (f) "State university" means any state university under the  
319 supervision of the Board of Governors, including any entity

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320 under the control of or established for the benefit of a state  
321 university.

322 (2) A state agency, political subdivision, public school,  
323 state college, or state university authorized to expend state-  
324 appropriated funds or levy ad valorem taxes may not participate  
325 in any agreement with or accept any grant from a foreign country  
326 of concern, or any entity controlled by a foreign country of  
327 concern, which establishes a program or other endeavor to  
328 promote the language or culture of a foreign country of concern.

329 (3) A state agency, political subdivision, public school,  
330 state college, or state university may not accept anything of  
331 value conditioned upon participation in a program or other  
332 endeavor to promote the language or culture of a foreign country  
333 of concern.

334 Section 3. Section 1010.25, Florida Statutes, is created to  
335 read:

336 1010.25 Foreign gift reporting.-

337 (1) As used in this section, the term:

338 (a) "Affiliate organization" means any entity under the  
339 control of or established for the benefit of an organization  
340 required to report under this section, including a direct-  
341 support organization.

342 (b) "Contract" means any agreement for the acquisition by  
343 purchase, lease, or barter of property or services by the  
344 foreign source, for the direct benefit or use of either of the  
345 parties, and any purchase, lease or barter of property or  
346 services from a foreign country of concern as defined in s.  
347 286.101(1)(b).

348 (c) "Direct-support organization" has the same meaning as

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349 provided in ss. 1004.28(1)(a), 1004.70(1)(a), and 1004.71(1)(a).

350 (d) "Foreign government" means the government of any  
351 country, nation, or group of nations, or any province or other  
352 political subdivision of any country or nation, other than the  
353 government of the United States or the government of a state or  
354 political subdivision, including any agent of such foreign  
355 government.

356 (e) "Foreign source" means any of the following:

357 1. A foreign government or an agency of a foreign  
358 government.

359 2. A legal entity, governmental or otherwise, created  
360 solely under the laws of a foreign state or states.

361 3. An individual who is not a citizen or a national of the  
362 United States or a territory or protectorate of the United  
363 States.

364 4. An agent, including a subsidiary or an affiliate of a  
365 foreign legal entity, acting on behalf of a foreign source.

366 (f) "Gift" means any contract, gift, grant, endowment,  
367 award, or donation of money or property of any kind, or any  
368 combination thereof, including a conditional or an unconditional  
369 pledge of such contract, gift, grant, endowment, award, or  
370 donation. For purposes of this paragraph, the term "pledge"  
371 means a promise, an agreement, or an expressed intention to give  
372 a gift.

373 (g) "Institution of higher education" means a state  
374 university, an entity listed in subpart B of part II of chapter  
375 1004 that has its own governing board, a Florida College System  
376 institution, an independent nonprofit college or university that  
377 is located in and chartered by the state and grants

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378 baccalaureate or higher degrees, any other institution that has  
379 a physical presence in the state and is required to report  
380 foreign gifts or contracts pursuant to 20 U.S.C. s. 1011f, or an  
381 affiliate organization of an institution of higher education.

382 (2) Each institution of higher education must semiannually  
383 report, each January 31 and July 31, any gift received directly  
384 or indirectly from a foreign source with a value of \$50,000 or  
385 more during the fiscal year. If a foreign source provides more  
386 than one gift directly or indirectly to an institution of higher  
387 education in a single fiscal year and the total value of those  
388 gifts is \$50,000 or more, all gifts received from that foreign  
389 source must be reported. For purposes of this subsection, a gift  
390 received from a foreign source through an intermediary shall be  
391 considered an indirect gift to the institution of higher  
392 education. An institution of higher education may consolidate  
393 its report with that of all its affiliate organizations. A  
394 report required under this subsection must be made to the  
395 following entities:

396 (a) The Board of Governors, if the recipient is a state  
397 university, an entity listed in subpart B of part II of chapter  
398 1004 that has its own governing board, or an affiliate  
399 organization of such university or entity.

400 (b) Unless already reported to the Board of Governors  
401 pursuant to paragraph (a), the State Board of Education, if the  
402 recipient is any other institution of higher education or an  
403 affiliate organization of such institution.

404 (3) For each gift subject to the reporting requirement in  
405 subsection (2), the report of the institution of higher  
406 education must provide all of the following information, unless

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407 otherwise prohibited or deemed confidential under federal law  
408 having no exemption applicable to such reporting:

409 (a) The amount of the gift and the date it was received.

410 (b) The contract start and end date if the gift is a  
411 contract.

412 (c) The name of the foreign source and, if not a foreign  
413 government, the country of citizenship, if known, and the  
414 country of principal residence or domicile of the foreign  
415 source.

416 (d)1. A copy of a gift agreement between the foreign source  
417 and the institution of higher education, signed by the foreign  
418 source and the chief administrative officer of the institution  
419 of higher education, or their respective designees, which must  
420 include a detailed description of the purpose for which the gift  
421 will be used by the institution of higher education, the  
422 identification of the persons for whom the gift is explicitly  
423 intended to benefit, and any applicable conditions,  
424 requirements, restrictions, or terms made a part of the gift  
425 regarding the control of curricula, faculty, student admissions,  
426 student fees, or contingencies placed upon the institution of  
427 higher education to take a specific public position or to award  
428 an honorary degree. With respect to an agreement containing  
429 information protected from disclosure under s. 1004.22(2), an  
430 abstract and redacted copy providing all required information  
431 that is not so protected may be submitted in lieu of a copy of  
432 the agreement.

433 2. Beginning July 1, 2022, the Inspector General of the  
434 Board of Governors or the Inspector General of the Department of  
435 Education, as applicable, shall, within existing resources,

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436 randomly inspect or audit at least 10 percent of the total  
437 number of gifts or gift agreements received from institutions of  
438 higher education pursuant to this paragraph during the previous  
439 year. The inspection or audit shall examine the extent to which  
440 the institution of higher education exercised due diligence with  
441 respect to whether the gift was received from a foreign source,  
442 as well as the institution of higher education's compliance with  
443 the requirements of this section.

444 3. Upon the request of the Governor, the President of the  
445 Senate, or the Speaker of the House of Representatives, the  
446 Inspector General of the Board of Governors or the Inspector  
447 General of the Department of Education, as applicable, must  
448 inspect or audit a gift or gift agreement.

449 (4) The State Board of Education or the Board of Governors,  
450 as applicable, shall exercise the authority provided pursuant to  
451 s. 1008.32 or s. 1008.322, respectively, to sanction an  
452 institution of higher education that fails to report a  
453 reportable gift within 60 days after the reporting deadlines  
454 established in subsection (2).

455 (5) (a) An institution of higher education that knowingly,  
456 willfully, or negligently fails to disclose the information  
457 required by this section shall be subject to a civil penalty of  
458 105 percent of the amount of the undisclosed gift, payable only  
459 from nonstate funds of the institution of higher education or  
460 the affiliate organization that received such gift. The  
461 recovered funds must be deposited into the General Revenue Fund.  
462 The Board of Governors and the State Board of Education, as  
463 applicable, may administratively enforce this section and impose  
464 the civil penalty as an administrative penalty. A lesser



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465 penalty, but at least 5 percent of the amount of the undisclosed  
466 gift may be imposed if a negligent failure is not a result of  
467 negligent management or is de minimis.

468 (b) In the absence of enforcement by the Board of Governors  
469 or the State Board of Education, as applicable, the Attorney  
470 General or Chief Financial Officer may bring a civil action to  
471 enforce this section. If such action is successful, the Attorney  
472 General or Chief Financial Officer, as applicable, is entitled  
473 to reasonable attorney fees and costs.

474 (6) Except as provided in s. 1004.22(2), or information  
475 protected by any statute that is a trade secret as defined in s.  
476 812.081(1)(c) or s. 688.002(4), information and records relating  
477 to a gift from a foreign source are not confidential or exempt  
478 from s. 119.07(1) and s. 24(a), Art. I of the State  
479 Constitution.

480 (7) The Board of Governors may adopt regulations, and the  
481 State Board of Education may adopt rules, to implement this  
482 section.

483 Section 4. Section 1010.35, Florida Statutes, is created to  
484 read:

485 1010.35 Screening foreign researchers.-

486 (1) Each state university or entity listed in subpart A or  
487 subpart B of part II of chapter 1004 that receives state  
488 appropriations or state tax revenue and has a research budget of  
489 \$10 million or more must screen applicants seeking employment in  
490 research or research-related support positions, graduate and  
491 undergraduate students applying for research or research support  
492 positions, and applicants for positions of visiting researcher,  
493 who are citizens of a foreign country and who are not permanent

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494 residents of the United States, or who are citizens or permanent  
495 residents of the United States who have any affiliation with an  
496 institution or program, or at least 1 year of prior employment  
497 or training, excepting employment or training by an agency of  
498 the United States government, in a foreign country of concern as  
499 defined in s. 286.101. Such screening is required prior to  
500 interviewing such applicant or offering to such applicant a  
501 position of employment or of visiting researcher. At the  
502 discretion of the university or entity, other applicants for  
503 such positions may be screened.

504 (2) In addition to satisfying all employment and enrollment  
505 qualifications imposed by federal law, the Board of Governors or  
506 the governing board of the applicable entity must require the  
507 following of applicants included in subsection (1):

508 (a) A foreign applicant must submit a complete copy of the  
509 applicant's passport and most recently submitted Online  
510 Nonimmigrant Visa Application, DS-160. After extraction of all  
511 information relevant to the requirements of this section a  
512 university or entity may destroy or return the copy of the DS-  
513 160 submitted by an applicant.

514 (b) All applicants described in subsection (1) must submit  
515 a complete resume and curriculum vitae, including every  
516 institution of higher education attended; all previous  
517 employment since the applicant's 18th birthday; a list of all  
518 published material for which the applicant received credit as an  
519 author, a researcher, or otherwise or to which the applicant  
520 contributed significant research, writing, or editorial support;  
521 a list of the applicant's current and pending research funding  
522 from any source, including funder, amount, applicant's role on

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523 the project, and brief description of the research; and a full  
524 disclosure of non-university professional activities including  
525 any affiliation with an institution or program in a foreign  
526 country of concern. For applicants who have been continually  
527 employed or enrolled in a postsecondary education institution in  
528 the United States for 20 years or more, the resume may, but need  
529 not, include employment history before the most recent 20 years.

530 (3) The president or chief administrative officer of the  
531 state university or applicable entity shall designate a research  
532 integrity office to review all materials required in subsection  
533 (2) and take reasonable steps to verify all attendance,  
534 employment, publications, and contributions listed in the  
535 application required in subsection (2) prior to any interview of  
536 or offer of a position to the applicant. Reasonable steps  
537 include searching public databases for research publications and  
538 presentations and public conflict of interest records to  
539 identify any research publication or presentation that may have  
540 been omitted from the application, contacting all employers of  
541 the most recent 10 years to verify employment, contacting all  
542 institutions of higher education attended to verify enrollment  
543 and educational progress, searching public listings of persons  
544 subject to sanctions or restrictions under federal law, and  
545 submitting the applicant's name and other identifying  
546 information to the Federal Bureau of Investigation or any  
547 federal agency reasonably willing to scrutinize such applicant  
548 for national security or counterespionage purposes, and any  
549 other steps deemed appropriate to the office. The university or  
550 applicable entity may also direct the office to approve  
551 applicants for hire based on a risk-based determination

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552 considering the nature of the research and the background and  
553 ongoing affiliations of the applicant.

554 (4) The requirements of this section must be completed  
555 before interviewing or offering any position to an individual  
556 described in subsection (1) in any research or research-related  
557 support position and before granting such individual any access  
558 to research data or activities or other sensitive data. An  
559 applicant who must be screened under this section may not be  
560 employed in any research or research-related support position if  
561 he or she fails to disclose a substantial educational,  
562 employment, or research-related activity or publication or  
563 presentation at the time of submitting the application required  
564 in subsection (2), unless the department head, or a designee,  
565 certifies in writing the substance of the nondisclosure and the  
566 reasons for disregarding such failure to disclose. A copy of  
567 such certification must be kept in the investigative file of the  
568 research integrity office and must be submitted to the nearest  
569 Federal Bureau of Investigation field office.

570 (5) The research integrity office must report to the  
571 nearest Federal Bureau of Investigation field office, and to any  
572 law enforcement agency designated by the Governor or the Board  
573 of Governors and the governing board of the applicable entity  
574 described in subsection (1), the identity of any applicant who  
575 was rejected for employment based on the scrutiny required by  
576 this section or other risk-based screening.

577 (6) By July 1, 2025, the Inspector General of the Board of  
578 Governors, the inspector general of an entity described in  
579 subsection (1), or the Auditor General must perform an  
580 operational audit regarding the implementation of this section.

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581 Section 5. Section 1010.36, Florida Statutes, is created to  
582 read:

583 1010.36 Foreign travel; research institutions.—

584 (1) By January 1, 2022, each state university or entity  
585 listed in subpart A or subpart B of part II of chapter 1004 that  
586 receives state appropriations or state tax revenue and has a  
587 research budget of \$10 million or more must establish an  
588 international travel approval and monitoring program. The  
589 program must require preapproval and screening by a research  
590 integrity office designated by the president or chief  
591 administrative officer of the state university or entity for any  
592 foreign travel and foreign employment-related activities engaged  
593 in by all faculty, researchers, and research department staff.  
594 Such requirement is in addition to any other travel approval  
595 process applicable to the state university or entity.

596 (2) (a) Preapproval by the research integrity office must be  
597 based on the applicant's review and acknowledgement of guidance  
598 published by the employing state university or entity which  
599 relates to countries under sanctions or other restrictions of  
600 the state or the United States government, including any federal  
601 license requirement; customs rules; export controls;  
602 restrictions on taking state university or entity property,  
603 including intellectual property, abroad; restrictions on  
604 presentations, teaching, and interactions with foreign  
605 colleagues; and other subjects important to the research and  
606 academic integrity of the state university or entity.

607 (b) Preapproval must be based on the binding commitment of  
608 the individual traveler not to violate the state university's or  
609 entity's limitations on travel and activities abroad and to obey

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610 all applicable federal laws.

611 (3) The state university or entity must maintain records of  
612 all foreign travel requests and approvals; expenses reimbursed  
613 by the university or entity during such travel, including for  
614 travel, food, and lodging; and payments and honoraria received  
615 during such travel and activities, including for travel, food,  
616 and lodging. The state university or entity must also keep  
617 records of the purpose of the travel and any records related to  
618 the foreign activity review. Such records must be retained for  
619 at least 3 years or any longer period of time required by any  
620 other applicable state or federal law.

621 (4) The state university or entity must provide an annual  
622 report of foreign travel to countries of concern listing  
623 individual travelers, foreign locations visited, and foreign  
624 institutions visited to the Board of Governors or the governing  
625 board of the applicable.

626 (5) By July 1, 2025, the Inspector General of the Board of  
627 Governors, the inspector general of an entity described in  
628 subsection (1), or the Auditor General must perform an  
629 operational audit regarding the implementation of this section.

630 Section 6. This act shall take effect July 1, 2021.