

By the Committee on Judiciary; and Senators Collins and Avila

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1                   A bill to be entitled  
2       An act relating to interests of foreign countries;  
3       creating s. 287.138, F.S.; defining terms; prohibiting  
4       governmental entities from knowingly entering into  
5       certain contracts; prohibiting governmental entities  
6       from taking specified actions after a specified date  
7       relating to contracts that give certain access to  
8       personal identifying information; providing an  
9       exception; authorizing the Attorney General to bring a  
10      civil action; providing penalties; requiring penalties  
11      to be deposited into the General Revenue Fund;  
12      requiring the Department of Management Services to  
13      adopt rules; creating s. 288.007, F.S.; defining  
14      terms; prohibiting governmental entities from  
15      knowingly entering into certain contracts; requiring  
16      government entities to require an affidavit from  
17      applicants before providing any economic incentive;  
18      requiring the Department of Economic Opportunity to  
19      adopt rules; providing a directive to the Division of  
20      Law Revision to create part III of ch. 692, F.S., to  
21      be entitled "Conveyances to Foreign Entities";  
22      creating s. 692.201, F.S.; defining terms; creating  
23      ss. 692.202 and 692.203, F.S.; prohibiting foreign  
24      principals from purchasing agricultural land, or  
25      interest in such land, and certain real property in  
26      the state, respectively; authorizing foreign  
27      principals to continue to own or hold such land or  
28      property under certain circumstances; requiring  
29      certain foreign principals that own or acquire such

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30 land or real property to register with a specified  
31 department; requiring the Department of Agriculture  
32 and Consumer Services and the Department of Economic  
33 Opportunity, respectively, to establish a form for  
34 such registration; providing civil penalties;  
35 authorizing the Department of Agriculture and Consumer  
36 Services and the Department of Economic Opportunity to  
37 place a lien against unregistered agricultural land or  
38 real property, respectively; requiring certain foreign  
39 principals to sell, transfer, or otherwise divest  
40 themselves of certain agricultural land or real  
41 property within a specified timeframe; requiring  
42 buyers of such land or property to provide a signed  
43 affidavit; specifying that the failure to maintain or  
44 obtain the affidavit does not affect the title or  
45 insurability of the title for the agricultural land or  
46 real property, respectively; authorizing the Florida  
47 Real Estate Commission to adopt rules; authorizing  
48 certain agricultural land or real property to be  
49 forfeited to the state; authorizing the Department of  
50 Agriculture and Consumer Services and the Department  
51 of Economic Opportunity to initiate civil actions for  
52 forfeiture of the interest in agricultural land or  
53 real property, respectively; requiring such actions to  
54 be filed in a certain circuit court; requiring clerks  
55 to record a lis pendens; requiring courts to advance  
56 the cause on the calendar; authorizing defendants to  
57 petition to modify or discharge the lis pendens;  
58 requiring the court to enter a specified final

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59 judgment under certain circumstances; authorizing the  
60 Department of Agriculture and Consumer Services and  
61 the Department of Economic Opportunity, respectively,  
62 to sell the agricultural land or real property;  
63 providing requirements for the proceeds from such  
64 sale; authorizing the Department of Agriculture and  
65 Consumer Services and the Department of Economic  
66 Opportunity, respectively, to seek a specified ex  
67 parte order; providing criminal penalties; requiring  
68 the Department of Agriculture and Consumer Services  
69 and the Department of Economic Opportunity,  
70 respectively, to adopt rules; creating s. 692.204,  
71 F.S.; prohibiting the People's Republic of China, the  
72 Chinese Communist Party, any other political party or  
73 member of a political party in the People's Republic  
74 of China, and certain persons and entities from  
75 purchasing or acquiring real property in the state;  
76 providing an exception; authorizing such persons and  
77 entities to continue to own or hold such real property  
78 under certain circumstances; requiring certain persons  
79 or entities that own or acquire real property in the  
80 state to register with the Department of Economic  
81 Opportunity by a specified date; requiring the  
82 Department of Economic Opportunity to establish a form  
83 for such registration; providing civil penalties;  
84 authorizing the Department of Economic Opportunity to  
85 place a lien against unregistered real property;  
86 requiring certain persons and entities to sell,  
87 transfer, or otherwise divest themselves of certain

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88 real property within a specified timeframe; requiring  
89 buyers of real property to provide a signed affidavit;  
90 specifying that the failure to maintain or obtain the  
91 affidavit does not affect the title or insurability of  
92 the title for the real property; authorizing the  
93 commission to adopt rules; authorizing certain real  
94 property to be forfeited to the state; authorizing the  
95 Department of Economic Opportunity to initiate civil  
96 actions for forfeiture of the interest in real  
97 property; requiring such actions to be filed in a  
98 certain circuit court; requiring clerks to record a  
99 lis pendens; requiring courts to advance the cause on  
100 the calendar; authorizing defendants to petition to  
101 modify or discharge the lis pendens; requiring the  
102 court to enter a specified final judgment under  
103 certain circumstances; authorizing the Department of  
104 Economic Opportunity to sell the real property;  
105 providing requirements for the proceeds from such  
106 sale; authorizing the Department of Economic  
107 Opportunity to seek a specified ex parte order;  
108 providing criminal penalties; requiring the Department  
109 of Economic Opportunity to adopt rules; amending s.  
110 408.051, F.S.; defining the terms "cloud computing"  
111 and "health care provider"; requiring that certain  
112 information held by health care providers that utilize  
113 certified electronic health record technology be  
114 maintained in the continental United States; providing  
115 applicability; amending s. 408.810, F.S.; requiring a  
116 licensee to sign a specified affidavit upon initial

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117 application for a license and any renewal  
118 applications; authorizing disciplinary action by the  
119 Agency for Health Care Administration; prohibiting a  
120 person or entity that possesses a controlling interest  
121 from holding an interest in certain entities;  
122 providing definitions; amending s. 836.05, F.S.;  
123 providing enhanced criminal penalties for threatening  
124 a person while acting as a foreign agent with the  
125 intent of benefiting a foreign country of concern;  
126 providing an effective date.

127  
128 Be It Enacted by the Legislature of the State of Florida:

129  
130 Section 1. Section 287.138, Florida Statutes, is created to  
131 read:

132 287.138 Contracting with entities of foreign countries of  
133 concern prohibited.—

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

135 (a) "Controlling interest" means possession of the power to  
136 direct or cause the direction of the management or policies of a  
137 company, whether through ownership of securities, by contract,  
138 or otherwise. A person or entity that directly or indirectly has  
139 the right to vote 25 percent or more of the voting interests of  
140 the company or is entitled to 25 percent or more of its profits  
141 is presumed to possess a controlling interest.

142 (b) "Department" means the Department of Management  
143 Services.

144 (c) "Foreign country of concern" means the People's  
145 Republic of China, the Russian Federation, the Islamic Republic

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146 of Iran, the Democratic People's Republic of Korea, the Republic  
147 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian  
148 Arab Republic, including any agency of or any other entity of  
149 significant control of such foreign country of concern.

150 (d) "Governmental entity" means any state, county,  
151 district, authority, or municipal officer, department, division,  
152 board, bureau, commission, or other separate unit of government  
153 created or established by law including, but not limited to, the  
154 Commission on Ethics, the Public Service Commission, the Office  
155 of Public Counsel, and any other public or private agency,  
156 person, partnership, corporation, or business entity acting on  
157 behalf of any public agency.

158 (2) A governmental entity may not knowingly enter into a  
159 contract with an entity which would give access to an  
160 individual's personal identifying information if:

161 (a) The entity is owned by the government of a foreign  
162 country of concern;

163 (b) The government of a foreign country of concern has a  
164 controlling interest in the entity; or

165 (c) The entity is organized under the laws of or has its  
166 principal place of business in a foreign country of concern.

167 (3) Beginning July 1, 2025, a governmental entity may not  
168 extend or renew a contract with an entity listed in paragraphs  
169 (2) (a)-(c) if the contract would give such entity access to an  
170 individual's personal identifying information.

171 (4) (a) Beginning January 1, 2024, a governmental entity may  
172 not accept a bid on, a proposal for, or a reply to, or enter  
173 into, a contract with an entity which would grant the entity  
174 access to an individual's personal identifying information

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175 unless the entity provides the governmental entity with an  
176 affidavit signed by an officer or representative of the entity  
177 under penalty of perjury attesting that the entity does not meet  
178 any of the criteria in paragraphs (2) (a)-(c).

179 (b) Beginning July 1, 2025, when an entity extends or  
180 renews a contract with a governmental entity which would grant  
181 the entity access to an individual's personal identifying  
182 information, the entity must provide the governmental entity  
183 with an affidavit signed by an officer or representative of the  
184 entity under penalty of perjury attesting that the entity does  
185 not meet any of the criteria in paragraphs (2) (a)-(c).

186 (5) The Attorney General may bring a civil action in any  
187 court of competent jurisdiction against an entity that violates  
188 this section. Violations of this section may result in:

189 (a) A civil penalty equal to twice the amount of the  
190 contract for which the entity submitted a bid or proposal for,  
191 replied to, or entered into;

192 (b) Ineligibility to enter into, renew, or extend any  
193 contract, including any grant agreements, with any governmental  
194 entity for up to 5 years;

195 (c) Ineligibility to receive or renew any license,  
196 certification, or credential issued by a governmental entity for  
197 up to 5 years; and

198 (d) Placement on the suspended vendor list pursuant to s.  
199 287.1351.

200 (6) Any penalties collected under subsection (5) must be  
201 deposited into the General Revenue Fund.

202 (7) The department shall adopt rules to implement this  
203 section, including rules establishing the form for the affidavit

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204 required under subsection (4).

205 Section 2. Section 288.007, Florida Statutes, is created to  
206 read:

207 288.007 Economic incentives to foreign countries of concern  
208 prohibited.-

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

210 (a) "Controlled by" means having possession of the power to  
211 direct or cause the direction of the management or policies of a  
212 company, whether through ownership of securities, by contract,  
213 or otherwise. A person or entity that directly or indirectly has  
214 the right to vote 25 percent or more of the voting interests of  
215 the company or that is entitled to 25 percent or more of its  
216 profits is presumed to control the foreign entity.

217 (b) "Economic incentive" means all programs administered  
218 by, or for which an applicant for the program must seek  
219 certification, approval, or other action by, the department  
220 under this chapter, chapter 212, or chapter 220; and all local  
221 economic development programs, grants, or financial benefits  
222 administered by a political subdivision or an agent thereof.

223 (c) "Foreign country of concern" has the same meaning as in  
224 s. 692.201.

225 (d) "Foreign entity" means an entity that is:

226 1. Owned or controlled by the government of a foreign  
227 country of concern; or

228 2. A partnership, association, corporation, organization,  
229 or other combination of persons organized under the laws of or  
230 having its principal place of business in a foreign country of  
231 concern, or a subsidiary of such entity.

232 (e) "Government entity" means a state agency, a political

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233 subdivision, or any other public or private agency, person,  
234 partnership, corporation, or business entity acting on behalf of  
235 any public agency.

236 (2) A government entity may not knowingly enter into an  
237 agreement or contract for an economic incentive with a foreign  
238 entity.

239 (3) Before providing any economic incentive, a government  
240 entity must require the recipient or applicant to provide the  
241 government entity with an affidavit signed under penalty of  
242 perjury attesting that the recipient or applicant is not a  
243 foreign entity.

244 (4) The department shall adopt rules to administer this  
245 section, including rules establishing the form for the affidavit  
246 required under subsection (3).

247 Section 3. The Division of Law Revision is directed to  
248 create part III of chapter 692, Florida Statutes, consisting of  
249 ss. 692.201, 692.202, 692.203, and 692.204, Florida Statutes, to  
250 be entitled "Conveyances to Foreign Entities."

251 Section 4. Section 692.201, Florida Statutes, is created to  
252 read:

253 692.201 Definitions.—As used in this part, the term:

254 (1) "Agricultural land" means land classified as  
255 agricultural under s. 193.461.

256 (2) "Critical infrastructure facility" means any of the  
257 following, if it employs measures such as fences, barriers, or  
258 guard posts that are designed to exclude unauthorized persons:

259 (a) A chemical manufacturing facility.

260 (b) A refinery.

261 (c) An electrical power plant as defined in s. 403.031(20),

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262 including a substation, switching station, electrical control  
263 center, or electric transmission or distribution facility.

264 (d) A water intake structure, water treatment facility,  
265 wastewater treatment plant, or pump station.

266 (e) A natural gas transmission compressor station.

267 (f) A liquid natural gas terminal or storage facility.

268 (g) A telecommunications central switching office.

269 (h) An inland port or other facility or group of facilities  
270 serving as a point of intermodal transfer of freight in a  
271 specific area physically separated from a seaport.

272 (i) A gas processing plant, including a plant used in the  
273 processing, treatment, or fractionation of natural gas.

274 (j) A seaport as listed in s. 311.09.

275 (k) A spaceport territory as defined in s. 331.303(18).

276 (3) "Foreign country of concern" means the People's  
277 Republic of China, the Russian Federation, the Islamic Republic  
278 of Iran, the Democratic People's Republic of Korea, the Republic  
279 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian  
280 Arab Republic, including any agency of or any other entity of  
281 significant control of such foreign country of concern.

282 (4) "Foreign principal" means:

283 (a) The government or any official of the government of a  
284 foreign country of concern;

285 (b) A political party or member of a political party or any  
286 subdivision of a political party in a foreign country of  
287 concern;

288 (c) A partnership, association, corporation, organization,  
289 or other combination of persons organized under the laws of or  
290 having its principal place of business in a foreign country of

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291 concern, or a subsidiary of such entity;

292 (d) Any person who is domiciled in a foreign country of  
293 concern and is not a citizen of the United States.

294 (5) "Military installation" has the same meaning as in 10  
295 U.S.C. s. 2801(c) (4) and includes an armory as defined in s.  
296 250.01.

297 (6) "Real property" means land, buildings, fixtures, and  
298 all other improvements to land.

299 Section 5. Section 692.202, Florida Statutes, is created to  
300 read:

301 692.202 Purchase of agricultural land by foreign principals  
302 prohibited.—

303 (1) A foreign principal may not directly or indirectly own  
304 or acquire by purchase, grant, devise, or descent agricultural  
305 land or any interest in such land in the state. This prohibition  
306 does not apply to a foreign principal that acquires agricultural  
307 land for a diplomatic purpose that is recognized, acknowledged,  
308 or allowed by the Federal Government.

309 (2) A foreign principal that directly or indirectly owns or  
310 acquires agricultural land or any interest in such land in the  
311 state before July 1, 2023, may continue to own or hold such land  
312 or interest, but may not purchase or otherwise acquire by grant,  
313 devise, or descent any additional agricultural land or interest  
314 in such land in the state.

315 (3) (a) A foreign principal that directly or indirectly owns  
316 or acquires agricultural land or any interest in such land in  
317 the state before July 1, 2023, must register with the Department  
318 of Agriculture and Consumer Services by January 1, 2024. The  
319 department must establish a form for such registration, which,

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320 at minimum, must include all of the following:

321 1. The name of the owner of the agricultural land or the  
322 owner of the interest in such land.

323 2. The address of the agricultural land, the property  
324 appraiser's parcel identification number, and the property's  
325 legal description.

326 3. The number of acres of the agricultural land.

327 (b) A foreign principal that fails to timely file a  
328 registration with the department is subject to a civil penalty  
329 of \$1,000 for each day that the registration is late. The  
330 department may place a lien against the unregistered  
331 agricultural land for the unpaid balance of any penalties  
332 assessed under this paragraph.

333 (4) Notwithstanding subsection (1), a foreign principal may  
334 acquire agricultural land on or after July 1, 2023, by devise or  
335 descent, through the enforcement of security interests, or  
336 through the collection of debts, provided that the foreign  
337 principal sells, transfers, or otherwise divests itself of the  
338 agricultural land within 2 years after acquiring the  
339 agricultural land.

340 (5) At the time of purchase, a buyer of agricultural land  
341 or an interest in such land must provide an affidavit signed  
342 under penalty of perjury attesting to compliance with this  
343 section. The failure to obtain or maintain the affidavit does  
344 not affect the title or insurability of the title for the  
345 agricultural land. The Florida Real Estate Commission shall  
346 adopt rules to implement this subsection, including rules  
347 establishing the form for the affidavit required under this  
348 subsection.

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349 (6) (a) The agricultural land or an interest in such land  
350 that is owned or acquired in violation of this section may be  
351 forfeited to the state.

352 (b) The Department of Agriculture and Consumer Services may  
353 initiate a civil action in the circuit court of the county in  
354 which the property lies for the forfeiture of the agricultural  
355 land or any interest therein.

356 (c) Upon filing such action, the clerk must record a lis  
357 pendens in accordance with s. 48.23. The court must advance the  
358 cause on the calendar. The defendant may at any time petition to  
359 modify or discharge the lis pendens based upon a finding that  
360 there is no probable cause to believe that the agricultural  
361 land, or any portion thereof, is owned or held in violation of  
362 this section.

363 (d) If the court finds that the agricultural land, or any  
364 portion thereof, is owned or held in violation of this section,  
365 the court must enter a final judgment of forfeiture vesting  
366 title to the agricultural land in the state, subject only to the  
367 rights and interests of bona fide lienholders, and such final  
368 judgment relates back to the date of the lis pendens.

369 (e) The department may sell the agricultural land subject  
370 to a final judgment of forfeiture. Any proceeds from the sale  
371 must first be paid to any lienholders of the land, followed by  
372 payment of any outstanding fines assessed pursuant to this  
373 section, after which the department must be reimbursed for all  
374 costs related to the forfeiture civil action and any costs  
375 related to the sale of the land. Any remaining proceeds must be  
376 paid to the property owner.

377 (f) At any time during the forfeiture proceeding the

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378 department may seek an ex parte order of seizure of the  
379 agricultural land upon a showing that the defendant's control of  
380 the agricultural land constitutes a clear and present danger to  
381 the state.

382 (7) A foreign principal that purchases or acquires  
383 agricultural land or any interest therein in violation of this  
384 section commits a misdemeanor of the second degree, punishable  
385 as provided in s. 775.082 or s. 775.083.

386 (8) A person who knowingly sells agricultural land or any  
387 interest therein in violation of this section commits a  
388 misdemeanor of the second degree, punishable as provided in s.  
389 775.082 or s. 775.083.

390 (9) The Department of Agriculture and Consumer Services  
391 shall adopt rules to implement this section.

392 Section 6. Section 692.203, Florida Statutes, is created to  
393 read:

394 692.203 Purchase of real property around military  
395 installations and critical infrastructure facilities by foreign  
396 principals prohibited.—

397 (1) A foreign principal may not directly or indirectly own  
398 or acquire by purchase, grant, devise, or descent any interest  
399 in real property within 20 miles of any military installation or  
400 critical infrastructure facility in the state. This prohibition  
401 does not apply to a foreign principal that acquires real  
402 property for a diplomatic purpose that is recognized,  
403 acknowledged, or allowed by the Federal Government.

404 (2) A foreign principal that directly or indirectly owns or  
405 acquires any interest in real property within 20 miles of any  
406 military installation or critical infrastructure facility in the

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407 state before July 1, 2023, may continue to own or hold such real  
408 property, but may not purchase or otherwise acquire by grant,  
409 devise, or descent any additional real property within 20 miles  
410 of any military installation or critical infrastructure facility  
411 in the state.

412 (3) (a) A foreign principal that owns or acquires real  
413 property within 20 miles of any military installation or  
414 critical infrastructure facility in the state before July 1,  
415 2023, must register with the Department of Economic Opportunity  
416 by January 1, 2024. The department must establish a form for  
417 such registration which, at a minimum, must include all of the  
418 following:

419 1. The name of the owner of the real property.

420 2. The address of the real property, the property  
421 appraiser's parcel identification number, and the property's  
422 legal description.

423 (b) A foreign principal that fails to timely file a  
424 registration with the department is subject to a civil penalty  
425 of \$1,000 for each day that the registration is late. The  
426 department may place a lien against the unregistered real  
427 property for the unpaid balance of any penalties assessed under  
428 this paragraph.

429 (4) Notwithstanding subsection (1), a foreign principal may  
430 acquire real property or any interest therein which is within 20  
431 miles of any military installation or critical infrastructure  
432 facility in the state on or after July 1, 2023, by devise or  
433 descent, through the enforcement of security interests, or  
434 through the collection of debts, provided that the foreign  
435 principal sells, transfers, or otherwise divests itself of such

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436 real property within 2 years after acquiring the real property.

437 (5) At the time of purchase, a buyer of real property that  
438 is located within 20 miles of any military installation or  
439 critical infrastructure facility in the state must provide an  
440 affidavit signed under penalty of perjury attesting to  
441 compliance with this section. The failure to obtain or maintain  
442 the affidavit does not affect the title or insurability of the  
443 title for the real property. The Florida Real Estate Commission  
444 shall adopt rules to implement this subsection, including rules  
445 establishing the form for the affidavit required under this  
446 subsection.

447 (6) (a) If any real property is owned or acquired in  
448 violation of this section, the real property may be forfeited to  
449 the state.

450 (b) The Department of Economic Opportunity may initiate a  
451 civil action in the circuit court of the county in which the  
452 property lies for the forfeiture of the real property or any  
453 interest therein.

454 (c) Upon filing such action, the clerk must record a lis  
455 pendens in accordance with s. 48.23. The court must advance the  
456 cause on the calendar. The defendant may at any time petition to  
457 modify or discharge the lis pendens based upon a finding that  
458 there is no probable cause to believe that the real property, or  
459 any portion thereof, is owned or held in violation of this  
460 section.

461 (d) If the court finds that the real property, or any  
462 portion thereof, is owned or held in violation of this section,  
463 the court must enter a final judgment of forfeiture vesting  
464 title to the real property in the state, subject only to the

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465 rights and interests of bona fide lienholders, and such final  
466 judgment relates back to the date of the lis pendens.

467 (e) The department may sell the real property subject to a  
468 final judgment of forfeiture. Any proceeds from the sale must  
469 first be paid to any lienholders of the land, followed by  
470 payment of any outstanding fines assessed pursuant to this  
471 section, after which the department must be reimbursed for all  
472 costs related to the forfeiture civil action and any costs  
473 related to the sale of the land. Any remaining proceeds must be  
474 paid to the property owner.

475 (f) At any time during the forfeiture proceeding the  
476 department may seek an ex parte order of seizure of the real  
477 property upon a showing that the defendant's control of the real  
478 property constitutes a clear and present danger to the state.

479 (7) A foreign principal that purchases or acquires real  
480 property or any interest therein in violation of this section  
481 commits a misdemeanor of the second degree, punishable as  
482 provided in s. 775.082 or s. 775.083.

483 (8) A person who knowingly sells real property or any  
484 interest therein in violation of this section commits a  
485 misdemeanor of the second degree, punishable as provided in s.  
486 775.082 or s. 775.083.

487 (9) The Department of Economic Opportunity shall adopt  
488 rules to implement this section.

489 Section 7. Section 692.204, Florida Statutes, is created to  
490 read:

491 692.204 Purchase or acquisition of real property by the  
492 People's Republic of China prohibited.—

493 (1) (a) The following persons or entities may not directly

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494 or indirectly own or acquire by purchase, grant, devise, or  
495 descent any interest in real property in the state:

496 1. The People's Republic of China, the Chinese Communist  
497 Party, or any official or member of the People's Republic of  
498 China or the Chinese Communist Party.

499 2. Any other political party or member of a political party  
500 or a subdivision of a political party in the People's Republic  
501 of China.

502 3. A partnership, an association, a corporation, an  
503 organization, or any other combination of persons organized  
504 under the laws of or having its principal place of business in  
505 the People's Republic of China, or a subsidiary of such entity.

506 4. Any person who is domiciled in the People's Republic of  
507 China and who is not a citizen of the United States.

508 (b) Paragraph (a) does not apply to a person or entity of  
509 the People's Republic of China that acquires real property for a  
510 diplomatic purpose that is recognized, acknowledged, or allowed  
511 by the Federal Government.

512 (2) A person or entity described in paragraph (1)(a) that  
513 directly or indirectly owns or acquires any interest in real  
514 property in the state before July 1, 2023, may continue to own  
515 or hold such real property, but may not purchase or otherwise  
516 acquire by grant, devise, or descent any additional real  
517 property in the state.

518 (3)(a) A person or entity described in paragraph (1)(a)  
519 that owns or acquires real property in the state before July 1,  
520 2023, must register with the Department of Economic Opportunity  
521 by January 1, 2024. The department must establish a form for  
522 such registration which, at a minimum, must include all of the

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523 following:

524 1. The name of the owner of the real property.

525 2. The address of the real property, the property  
526 appraiser's parcel identification number, and the property's  
527 legal description.

528 (b) A person or entity that fails to timely file a  
529 registration with the department is subject to a civil penalty  
530 of \$1,000 for each day that the registration is late. The  
531 department may place a lien against the unregistered real  
532 property for the unpaid balance of any penalties assessed under  
533 this paragraph.

534 (4) Notwithstanding subsection (1), a person or an entity  
535 described in paragraph (1)(a) may acquire real property in the  
536 state on or after July 1, 2023, by devise or descent, through  
537 the enforcement of security interests, or through the collection  
538 of debts, provided that the person or entity sells, transfers,  
539 or otherwise divests itself of such real property within 2 years  
540 after acquiring the real property unless the person or entity is  
541 exempt under paragraph (1)(b).

542 (5) At the time of purchase, a buyer of real property in  
543 the state must provide an affidavit signed under penalty of  
544 perjury attesting to compliance with this section. The failure  
545 to obtain or maintain the affidavit does not affect the title or  
546 insurability of the title for the real property. The Florida  
547 Real Estate Commission shall adopt rules to implement this  
548 subsection, including rules establishing the form for the  
549 affidavit required under this subsection.

550 (6) (a) If any real property is owned or acquired in  
551 violation of this section, the real property may be forfeited to

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552 the state.

553 (b) The Department of Economic Opportunity may initiate a  
554 civil action in the circuit court of the county in which the  
555 property lies for the forfeiture of the real property or any  
556 interest therein.

557 (c) Upon filing such action, the clerk must record a lis  
558 pendens in accordance with s. 48.23. The court must advance the  
559 cause on the calendar. The defendant may at any time petition to  
560 modify or discharge the lis pendens based upon a finding that  
561 there is no probable cause to believe that the real property, or  
562 any portion thereof, is owned or held in violation of this  
563 section.

564 (d) If the court finds that the real property, or any  
565 portion thereof, is owned or held in violation of this section,  
566 the court must enter a final judgment of forfeiture vesting  
567 title to the real property in the state, subject only to the  
568 rights and interests of bona fide lienholders, and such final  
569 judgment relates back to the date of the lis pendens.

570 (e) The department may sell the real property subject to a  
571 final judgment of forfeiture. Any proceeds from the sale must  
572 first be paid to any lienholders of the land, followed by  
573 payment of any outstanding fines assessed pursuant to this  
574 section, after which the department must be reimbursed for all  
575 costs related to the forfeiture civil action and any costs  
576 related to the sale of the land. Any remaining proceeds must be  
577 paid to the property owner.

578 (f) At any time during the forfeiture proceeding the  
579 department may seek an ex parte order of seizure of the real  
580 property upon a showing that the defendant's control of the real

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581 property constitutes a clear and present danger to the state.

582 (7) A violation of this section constitutes a felony of the  
583 third degree, punishable as provided in s. 775.082, s. 775.083,  
584 or s. 775.084.

585 (8) A person who sells real property or any interest  
586 therein in violation of this section commits a misdemeanor of  
587 the first degree, punishable as provided in s. 775.082 or s.  
588 775.083.

589 (9) The Department of Economic Opportunity shall adopt  
590 rules to implement this section.

591 Section 8. Present subsections (3), (4), and (5) of section  
592 408.051, Florida Statutes, are redesignated as subsections (4),  
593 (5), and (6), respectively, a new subsection (3) is added to  
594 that section, and subsection (2) of that section is reordered  
595 and amended, to read:

596 408.051 Florida Electronic Health Records Exchange Act.—

597 (2) DEFINITIONS.—As used in this section, the term:

598 (a) "Electronic health record" means a record of a person's  
599 medical treatment which is created by a licensed health care  
600 provider and stored in an interoperable and accessible digital  
601 format.

602 (i)~~(b)~~ "Qualified electronic health record" means an  
603 electronic record of health-related information concerning an  
604 individual which includes patient demographic and clinical  
605 health information, such as medical history and problem lists,  
606 and which has the capacity to provide clinical decision support,  
607 to support physician order entry, to capture and query  
608 information relevant to health care quality, and to exchange  
609 electronic health information with, and integrate such

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610 information from, other sources.

611 (b)~~(e)~~ "Certified electronic health record technology"  
612 means a qualified electronic health record that is certified  
613 pursuant to s. 3001(c)(5) of the Public Health Service Act as  
614 meeting standards adopted under s. 3004 of such act which are  
615 applicable to the type of record involved, such as an ambulatory  
616 electronic health record for office-based physicians or an  
617 inpatient hospital electronic health record for hospitals.

618 (c) "Cloud computing" has the same meaning as in s.  
619 282.0041.

620 (d) "Health care provider" means any of the following:

621 1. A provider as defined in s. 408.803.

622 2. A health care practitioner as defined in s. 456.001.

623 3. A health care professional certified under part IV of  
624 chapter 468.

625 4. A home health aide as defined in s. 400.462.

626 5. A service provider as defined in s. 394.455 and the  
627 service provider's clinical and nonclinical staff who provide  
628 inpatient or outpatient services.

629 6. A continuing care facility licensed under chapter 651.

630 7. A pharmacy permitted under chapter 465.

631 (e)~~(d)~~ "Health record" means any information, recorded in  
632 any form or medium, which relates to the past, present, or  
633 future health of an individual for the primary purpose of  
634 providing health care and health-related services.

635 (f)~~(e)~~ "Identifiable health record" means any health record  
636 that identifies the patient or with respect to which there is a  
637 reasonable basis to believe the information can be used to  
638 identify the patient.

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639        (g)~~(f)~~ "Patient" means an individual who has sought, is  
640 seeking, is undergoing, or has undergone care or treatment in a  
641 health care facility or by a health care provider.

642        (h)~~(g)~~ "Patient representative" means a parent of a minor  
643 patient, a court-appointed guardian for the patient, a health  
644 care surrogate, or a person holding a power of attorney or  
645 notarized consent appropriately executed by the patient granting  
646 permission to a health care facility or health care provider to  
647 disclose the patient's health care information to that person.  
648 In the case of a deceased patient, the term also means the  
649 personal representative of the estate of the deceased patient;  
650 the deceased patient's surviving spouse, surviving parent, or  
651 surviving adult child; the parent or guardian of a surviving  
652 minor child of the deceased patient; the attorney for the  
653 patient's surviving spouse, parent, or adult child; or the  
654 attorney for the parent or guardian of a surviving minor child.

655        (3) SECURITY AND STORAGE OF PERSONAL MEDICAL INFORMATION.-  
656 In addition to the requirements in 45 C.F.R. part 160 and  
657 subparts A and C of part 164, a health care provider that  
658 utilizes certified electronic health record technology must  
659 ensure that all patient information stored in an offsite  
660 physical or virtual environment, including through a third-party  
661 or subcontracted computing facility or an entity providing cloud  
662 computing services, is physically maintained in the continental  
663 United States. This subsection applies to all qualified  
664 electronic health records that are stored using any technology  
665 that can allow information to be electronically retrieved,  
666 accessed, or transmitted.

667        Section 9. Subsections (14) and (15) are added to section

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668 408.810, Florida Statutes, to read:

669 408.810 Minimum licensure requirements.—In addition to the  
670 licensure requirements specified in this part, authorizing  
671 statutes, and applicable rules, each applicant and licensee must  
672 comply with the requirements of this section in order to obtain  
673 and maintain a license.

674 (14) The licensee must sign an affidavit at the time of his  
675 or her initial application for a license and on any renewal  
676 applications thereafter that attests under penalty of perjury  
677 that he or she is in compliance with s. 408.051(3). The licensee  
678 must remain in compliance with s. 408.051(3) or the licensee  
679 shall be subject to disciplinary action by the agency.

680 (15) (a) The licensee must ensure that a person or entity  
681 who possesses a controlling interest does not hold, either  
682 directly or indirectly, regardless of ownership structure, an  
683 interest in an entity that has a business relationship with a  
684 foreign country of concern or that is subject to s. 287.135.

685 (b) For purposes of this subsection, the term:

686 1. "Business relationship" means engaging in commerce in  
687 any form, including, but not limited to, acquiring, developing,  
688 maintaining, owning, selling, possessing, leasing, or operating  
689 equipment, facilities, personnel, products, services, personal  
690 property, real property, military equipment, or any other  
691 apparatus of business or commerce.

692 2. "Foreign country of concern" has the same meaning as in  
693 s. 692.201.

694 3. "Interest" has the same meaning as in s. 286.101(1).

695 Section 10. Section 836.05, Florida Statutes, is amended to  
696 read:

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697 836.05 Threats; extortion.—

698 (1) Whoever, either verbally or by a written or printed  
699 communication, maliciously threatens to accuse another of any  
700 crime or offense, or by such communication maliciously threatens  
701 an injury to the person, property or reputation of another, or  
702 maliciously threatens to expose another to disgrace, or to  
703 expose any secret affecting another, or to impute any deformity  
704 or lack of chastity to another, with intent thereby to extort  
705 money or any pecuniary advantage whatsoever, or with intent to  
706 compel the person so threatened, or any other person, to do any  
707 act or refrain from doing any act against his or her will,  
708 commits ~~shall be guilty of~~ a felony of the second degree,  
709 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

710 (2) A person who commits a violation of subsection (1) and  
711 at the time of the violation is acting as a foreign agent, as  
712 defined in s. 812.081(1), with the intent of benefiting a  
713 foreign country of concern, as defined in s. 692.201, commits a  
714 felony of the first degree, punishable as provided in s.  
715 775.082, s. 775.083, or s. 775.084.

716 Section 11. This act shall take effect July 1, 2023.