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1  
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 governmental 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 having more than a de minimus indirect interest in  
26 such land, and certain real property in this state,  
27 respectively; providing exceptions from ownership  
28 restrictions; authorizing foreign principals to  
29 continue to own or hold such land or property under

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

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59 advance the cause on the calendar; authorizing  
60 defendants to petition to modify or discharge the lis  
61 pendens; requiring the court to enter a specified  
62 final judgment under certain circumstances;  
63 authorizing the Department of Agriculture and Consumer  
64 Services and the Department of Economic Opportunity,  
65 respectively, to sell the agricultural land or real  
66 property; providing requirements for the proceeds from  
67 such sale; authorizing the Department of Agriculture  
68 and Consumer Services and the Department of Economic  
69 Opportunity, respectively, to seek a specified ex  
70 parte order; providing criminal penalties; requiring  
71 the Department of Agriculture and Consumer Services  
72 and the Department of Economic Opportunity,  
73 respectively, to adopt rules; creating s. 692.204,  
74 F.S.; prohibiting the People's Republic of China, the  
75 Chinese Communist Party, any other political party or  
76 member of a political party in the People's Republic  
77 of China, and certain persons and entities from  
78 purchasing or acquiring real property in this state or  
79 having more than a de minimus indirect interest in  
80 such real property; providing exceptions from  
81 ownership restrictions; authorizing such persons and  
82 entities to continue to own or hold such real property  
83 under certain circumstances; requiring certain persons  
84 or entities that own or acquire real property in this  
85 state to register with the Department of Economic  
86 Opportunity by a specified date; requiring the  
87 Department of Economic Opportunity to establish a form

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88 for such registration; providing civil penalties;  
89 authorizing the Department of Economic Opportunity to  
90 place a lien against unregistered real property;  
91 requiring certain persons and entities to sell,  
92 transfer, or otherwise divest themselves of certain  
93 real property within a specified timeframe; requiring  
94 buyers of real property to provide a signed affidavit;  
95 specifying that the failure to maintain or obtain the  
96 affidavit does not affect the title or insurability of  
97 the title for the real property or subject the closing  
98 agent to certain liability; authorizing the commission  
99 to adopt rules; authorizing certain real property to  
100 be forfeited to the state; authorizing the Department  
101 of Economic Opportunity to initiate civil actions for  
102 forfeiture of the interest in real property; requiring  
103 such actions to be filed in a certain circuit court;  
104 requiring clerks to record a lis pendens; requiring  
105 courts to advance the cause on the calendar;  
106 authorizing defendants to petition to modify or  
107 discharge the lis pendens; requiring the court to  
108 enter a specified final judgment under certain  
109 circumstances; authorizing the Department of Economic  
110 Opportunity to sell the real property; providing  
111 requirements for the proceeds from such sale;  
112 authorizing the Department of Economic Opportunity to  
113 seek a specified ex parte order; providing criminal  
114 penalties; requiring the Department of Economic  
115 Opportunity to adopt rules; creating s. 692.205, F.S.;  
116 providing an exception from ownership restrictions and

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117 registration requirements for real property that is  
118 used for diplomatic purposes; amending s. 408.051,  
119 F.S.; defining the terms "cloud computing" and "health  
120 care provider"; requiring that certain information  
121 held by health care providers that utilize certified  
122 electronic health record technology be maintained in  
123 specified locations; providing applicability; amending  
124 s. 408.810, F.S.; requiring a licensee to sign a  
125 specified affidavit upon initial application for a  
126 license and any renewal applications; authorizing  
127 disciplinary action by the Agency for Health Care  
128 Administration; prohibiting a person or entity that  
129 possesses a controlling interest from holding an  
130 interest in certain entities; providing definitions;  
131 amending s. 836.05, F.S.; providing enhanced criminal  
132 penalties for threatening a person while acting as a  
133 foreign agent with the intent of benefiting a foreign  
134 country of concern; providing an effective date.

135  
136 Be It Enacted by the Legislature of the State of Florida:

137  
138 Section 1. Section 287.138, Florida Statutes, is created to  
139 read:

140 287.138 Contracting with entities of foreign countries of  
141 concern prohibited.—

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

143 (a) "Controlling interest" means possession of the power to  
144 direct or cause the direction of the management or policies of a  
145 company, whether through ownership of securities, by contract,

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146 or otherwise. A person or entity that directly or indirectly has  
147 the right to vote 25 percent or more of the voting interests of  
148 the company or is entitled to 25 percent or more of its profits  
149 is presumed to possess a controlling interest.

150 (b) "Department" means the Department of Management  
151 Services.

152 (c) "Foreign country of concern" means the People's  
153 Republic of China, the Russian Federation, the Islamic Republic  
154 of Iran, the Democratic People's Republic of Korea, the Republic  
155 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian  
156 Arab Republic, including any agency of or any other entity of  
157 significant control of such foreign country of concern.

158 (d) "Governmental entity" means any state, county,  
159 district, authority, or municipal officer, department, division,  
160 board, bureau, commission, or other separate unit of government  
161 created or established by law including, but not limited to, the  
162 Commission on Ethics, the Public Service Commission, the Office  
163 of Public Counsel, and any other public or private agency,  
164 person, partnership, corporation, or business entity acting on  
165 behalf of any public agency.

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

169 (a) The entity is owned by the government of a foreign  
170 country of concern;

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

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

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

179 (4) (a) Beginning January 1, 2024, a governmental entity may  
180 not accept a bid on, a proposal for, or a reply to, or enter  
181 into, a contract with an entity which would grant the entity  
182 access to an individual's personal identifying information  
183 unless the entity provides the governmental entity with an  
184 affidavit signed by an officer or representative of the entity  
185 under penalty of perjury attesting that the entity does not meet  
186 any of the criteria in paragraphs (2) (a)-(c).

187 (b) Beginning July 1, 2025, when an entity extends or  
188 renews a contract with a governmental entity which would grant  
189 the entity access to an individual's personal identifying  
190 information, the entity must provide the governmental entity  
191 with an affidavit signed by an officer or representative of the  
192 entity under penalty of perjury attesting that the entity does  
193 not meet any of the criteria in paragraphs (2) (a)-(c).

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

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

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

203 (c) Ineligibility to receive or renew any license,

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204 certification, or credential issued by a governmental entity for  
205 up to 5 years; and

206 (d) Placement on the suspended vendor list pursuant to s.  
207 287.1351.

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

210 (7) The department shall adopt rules to implement this  
211 section, including rules establishing the form for the affidavit  
212 required under subsection (4).

213 Section 2. Section 288.007, Florida Statutes, is created to  
214 read:

215 288.007 Economic incentives to foreign countries of concern  
216 prohibited.—

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

218 (a) "Controlled by" means having possession of the power to  
219 direct or cause the direction of the management or policies of a  
220 company, whether through ownership of securities, by contract,  
221 or otherwise. A person or entity that directly or indirectly has  
222 the right to vote 25 percent or more of the voting interests of  
223 the company or that is entitled to 25 percent or more of its  
224 profits is presumed to control the foreign entity.

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

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

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

234 1. Owned or controlled by the government of a foreign  
235 country of concern; or

236 2. A partnership, association, corporation, organization,  
237 or other combination of persons organized under the laws of or  
238 having its principal place of business in a foreign country of  
239 concern, or a subsidiary of such entity.

240 (e) "Government entity" means a state agency, a political  
241 subdivision, or any other public or private agency, person,  
242 partnership, corporation, or business entity acting on behalf of  
243 any public agency.

244 (2) A government entity may not knowingly enter into an  
245 agreement or contract for an economic incentive with a foreign  
246 entity.

247 (3) Before providing any economic incentive, a government  
248 entity must require the recipient or applicant to provide the  
249 government entity with an affidavit signed under penalty of  
250 perjury attesting that the recipient or applicant is not a  
251 foreign entity.

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

255 Section 3. The Division of Law Revision is directed to  
256 create part III of chapter 692, Florida Statutes, consisting of  
257 ss. 692.201, 692.202, 692.203, 692.204, and 692.205, Florida  
258 Statutes, to be entitled "Conveyances to Foreign Entities."

259 Section 4. Section 692.201, Florida Statutes, is created to  
260 read:

261 692.201 Definitions.—As used in this part, the term:

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- 262           (1) "Agricultural land" means land classified as  
263 agricultural under s. 193.461.
- 264           (2) "Critical infrastructure facility" means any of the  
265 following, if it employs measures such as fences, barriers, or  
266 guard posts that are designed to exclude unauthorized persons:
- 267           (a) A chemical manufacturing facility.  
268           (b) A refinery.  
269           (c) An electrical power plant as defined in s. 403.031(20).  
270           (d) A water treatment facility or wastewater treatment  
271 plant.
- 272           (e) A liquid natural gas terminal.  
273           (f) A telecommunications central switching office.  
274           (g) A gas processing plant, including a plant used in the  
275 processing, treatment, or fractionation of natural gas.
- 276           (h) A seaport as listed in s. 311.09.  
277           (i) A spaceport territory as defined in s. 331.303(18).  
278           (j) An airport as defined in s. 333.01.
- 279           (3) "Foreign country of concern" means the People's  
280 Republic of China, the Russian Federation, the Islamic Republic  
281 of Iran, the Democratic People's Republic of Korea, the Republic  
282 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian  
283 Arab Republic, including any agency of or any other entity of  
284 significant control of such foreign country of concern.
- 285           (4) "Foreign principal" means:
- 286           (a) The government or any official of the government of a  
287 foreign country of concern;
- 288           (b) A political party or member of a political party or any  
289 subdivision of a political party in a foreign country of  
290 concern;

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291 (c) A partnership, association, corporation, organization,  
292 or other combination of persons organized under the laws of or  
293 having its principal place of business in a foreign country of  
294 concern, or a subsidiary of such entity; or

295 (d) Any person who is domiciled in a foreign country of  
296 concern and is not a citizen or lawful permanent resident of the  
297 United States.

298 (e) Any person, entity, or collection of persons or  
299 entities, described in paragraphs (a) through (d) having a  
300 controlling interest in a partnership, association, corporation,  
301 organization, trust, or any other legal entity or subsidiary  
302 formed for the purpose of owning real property in this state.

303 (5) "Military installation" means a base, camp, post,  
304 station, yard, or center encompassing at least 10 contiguous  
305 acres that is under the jurisdiction of the Department of  
306 Defense or its affiliates.

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

309 Section 5. Section 692.202, Florida Statutes, is created to  
310 read:

311 692.202 Purchase of agricultural land by foreign principals  
312 prohibited.—

313 (1) A foreign principal may not directly or indirectly own,  
314 have a controlling interest in, or acquire by purchase, grant,  
315 devise, or descent agricultural land or any interest, except a  
316 de minimus indirect interest, in such land in this state. A  
317 foreign principal has a de minimus indirect interest if any  
318 ownership is the result of the foreign principal's ownership of  
319 registered equities in a publicly traded company owning the land

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320 and if the foreign principal's ownership interest in the company  
321 is either:

322 (a) Less than 5 percent of any class of registered equities  
323 or less than 5 percent in the aggregate in multiple classes of  
324 registered equities; or

325 (b) A noncontrolling interest in an entity controlled by a  
326 company that is both registered with the United States  
327 Securities and Exchange Commission as an investment adviser  
328 under the Investment Advisers Act of 1940, as amended, and is  
329 not a foreign entity.

330 (2) A foreign principal that directly or indirectly owns or  
331 acquires agricultural land or any interest in such land in this  
332 state before July 1, 2023, may continue to own or hold such land  
333 or interest, but may not purchase or otherwise acquire by grant,  
334 devise, or descent any additional agricultural land or interest  
335 in such land in this state.

336 (3) (a) A foreign principal that directly or indirectly owns  
337 or acquires agricultural land or any interest in such land in  
338 this state before July 1, 2023, must register with the  
339 Department of Agriculture and Consumer Services by January 1,  
340 2024. The department must establish a form for such  
341 registration, which, at minimum, must include all of the  
342 following:

343 1. The name of the owner of the agricultural land or the  
344 owner of the interest in such land.

345 2. The address of the agricultural land, the property  
346 appraiser's parcel identification number, and the property's  
347 legal description.

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

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349       (b) A foreign principal that fails to timely file a  
350 registration with the department is subject to a civil penalty  
351 of \$1,000 for each day that the registration is late. The  
352 department may place a lien against the unregistered  
353 agricultural land for the unpaid balance of any penalties  
354 assessed under this paragraph.

355       (4) Notwithstanding subsection (1), a foreign principal may  
356 acquire agricultural land on or after July 1, 2023, by devise or  
357 descent, through the enforcement of security interests, or  
358 through the collection of debts, provided that the foreign  
359 principal sells, transfers, or otherwise divests itself of the  
360 agricultural land within 3 years after acquiring the  
361 agricultural land.

362       (5) (a) At the time of purchase, a buyer of agricultural  
363 land or an interest in such land must provide an affidavit  
364 signed under penalty of perjury attesting that the buyer is:

- 365       1. Not a foreign principal; and  
366       2. In compliance with the requirements of this section.

367       (b) The failure to obtain or maintain the affidavit does  
368 not:

- 369       1. Affect the title or insurability of the title for the  
370 agricultural land; or

- 371       2. Subject the closing agent to civil or criminal  
372 liability, unless the closing agent has actual knowledge that  
373 the transaction will result in a violation of this section.

374       (c) The Florida Real Estate Commission shall adopt rules to  
375 implement this subsection, including rules establishing the form  
376 for the affidavit required under this subsection.

377       (6) (a) The agricultural land or an interest in such land

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378 that is owned or acquired in violation of this section may be  
379 forfeited to the state.

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

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

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

397 (e) The department may sell the agricultural land subject  
398 to a final judgment of forfeiture. Any proceeds from the sale  
399 must first be paid to any lienholders of the land, followed by  
400 payment of any outstanding fines assessed pursuant to this  
401 section, after which the department must be reimbursed for all  
402 costs related to the forfeiture civil action and any costs  
403 related to the sale of the land. Any remaining proceeds must be  
404 paid to the property owner.

405 (f) At any time during the forfeiture proceeding the  
406 department may seek an ex parte order of seizure of the

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407 agricultural land upon a showing that the defendant's control of  
408 the agricultural land constitutes a clear and present danger to  
409 the state.

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

414 (8) A person who knowingly sells agricultural land or any  
415 interest therein in violation of this section commits a  
416 misdemeanor of the second degree, punishable as provided in s.  
417 775.082 or s. 775.083.

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

420 Section 6. Section 692.203, Florida Statutes, is created to  
421 read:

422 692.203 Purchase of real property on or around military  
423 installations or critical infrastructure facilities by foreign  
424 principals prohibited.-

425 (1) A foreign principal may not directly or indirectly own,  
426 or have a controlling interest in, or acquire by purchase,  
427 grant, devise, or descent any interest, except a de minimus  
428 indirect interest, in real property on or within 10 miles of any  
429 military installation or critical infrastructure facility in  
430 this state. A foreign principal has a de minimus indirect  
431 interest if any ownership is the result of the foreign  
432 principal's ownership of registered equities in a publicly  
433 traded company owning the land and if the foreign principal's  
434 ownership interest in the company is either:

435 (a) Less than 5 percent of any class of registered equities

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436 or less than 5 percent in the aggregate in multiple classes of  
437 registered equities; or

438 (b) A noncontrolling interest in an entity controlled by a  
439 company that is both registered with the United States  
440 Securities and Exchange Commission as an investment adviser  
441 under the Investment Advisers Act of 1940, as amended, and is  
442 not a foreign entity.

443 (2) A foreign principal that directly or indirectly owns or  
444 acquires any interest in real property on or within 10 miles of  
445 any military installation or critical infrastructure facility in  
446 this state before July 1, 2023, may continue to own or hold such  
447 real property, but may not purchase or otherwise acquire by  
448 grant, devise, or descent any additional real property on or  
449 within 10 miles of any military installation or critical  
450 infrastructure facility in this state.

451 (3) (a) A foreign principal must register with the  
452 Department of Economic Opportunity if the foreign principal owns  
453 or acquires real property on or within 10 miles of any military  
454 installation or critical infrastructure facility in this state  
455 as authorized under subsection (4) or if the foreign principal  
456 owned or acquired an interest, other than a de minimus indirect  
457 interest, in such property before July 1, 2023. The department  
458 must establish a form for such registration which, at a minimum,  
459 must include all of the following:

- 460 1. The name of the owner of the real property.  
461 2. The address of the real property, the property  
462 appraiser's parcel identification number, and the property's  
463 legal description.

464 (b) A foreign principal that fails to timely file a

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465 registration with the department is subject to a civil penalty  
466 of \$1,000 for each day that the registration is late. A foreign  
467 principal must register a property interest owned before July 1,  
468 2023, by December 31, 2023. The registration is considered to be  
469 late after January 31, 2024. A foreign principal who owns or  
470 acquires real property on or after July 1, 2023, as authorized  
471 under subsection (4), must register the real property within 30  
472 days after the property is owned or acquired. The department may  
473 place a lien against the unregistered real property for the  
474 unpaid balance of any penalties assessed under this paragraph.

475 (4) Notwithstanding subsection (1) a foreign principal who  
476 is a natural person may purchase one residential real property  
477 that is up to 2 acres in size if all of the following apply:

478 (a) The parcel is not on or within 5 miles of any military  
479 installation in this state.

480 (b) The person has a current verified United States Visa  
481 that is not limited to authorizing tourist-based travel or  
482 official documentation confirming that the person has been  
483 granted asylum in the United States, and such visa or  
484 documentation authorizes the person to be legally present within  
485 this state.

486 (c) The purchase is in the name of the person who holds the  
487 visa or official documentation described in paragraph (b).

488 (5) Notwithstanding subsections (1) and (2), a foreign  
489 principal may acquire real property or any interest therein  
490 which is on or within 10 miles of any military installation or  
491 critical infrastructure facility in this state on or after July  
492 1, 2023, by devise or descent, through the enforcement of  
493 security interests, or through the collection of debts, provided

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494 that the foreign principal sells, transfers, or otherwise  
495 divests itself of such real property within 3 years after  
496 acquiring the real property.

497 (6) (a) At the time of purchase, a buyer of the real  
498 property that is on or within 10 miles of any military  
499 installation or critical infrastructure facility in this state  
500 must provide an affidavit signed under penalty of perjury  
501 attesting that the buyer is:

502 1. Not a foreign principal or not a foreign principal  
503 prohibited from purchasing the subject real property; and

504 2. In compliance with the requirements of this section.

505 (b) The failure to obtain or maintain the affidavit does  
506 not:

507 1. Affect the title or insurability of the title for the  
508 real property; or

509 2. Subject the closing agent to civil or criminal  
510 liability, unless the closing agent has actual knowledge that  
511 the transaction will result in a violation of this section.

512 (c) The Florida Real Estate Commission shall adopt rules to  
513 implement this subsection, including rules establishing the form  
514 for the affidavit required under this subsection.

515 (7) (a) If any real property is owned or acquired in  
516 violation of this section, the real property may be forfeited to  
517 the state.

518 (b) The Department of Economic Opportunity may initiate a  
519 civil action in the circuit court of the county in which the  
520 property lies for the forfeiture of the real property or any  
521 interest therein.

522 (c) Upon filing such action, the clerk must record a lis

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523 pendens in accordance with s. 48.23. The court must advance the  
524 cause on the calendar. The defendant may at any time petition to  
525 modify or discharge the lis pendens based upon a finding that  
526 there is no probable cause to believe that the real property, or  
527 any portion thereof, is owned or held in violation of this  
528 section.

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

535 (e) The department may sell the real property subject to a  
536 final judgment of forfeiture. Any proceeds from the sale must  
537 first be paid to any lienholders of the land, followed by  
538 payment of any outstanding fines assessed pursuant to this  
539 section, after which the department must be reimbursed for all  
540 costs related to the forfeiture civil action and any costs  
541 related to the sale of the land. Any remaining proceeds must be  
542 paid to the property owner.

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

547 (8) A foreign principal that purchases or acquires real  
548 property or any interest therein in violation of this section  
549 commits a misdemeanor of the second degree, punishable as  
550 provided in s. 775.082 or s. 775.083.

551 (9) A person who knowingly sells real property or any

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552 interest therein in violation of this section commits a  
553 misdemeanor of the second degree, punishable as provided in s.  
554 775.082 or s. 775.083.

555 (10) The Department of Economic Opportunity shall adopt  
556 rules to implement this section.

557 Section 7. Section 692.204, Florida Statutes, is created to  
558 read:

559 692.204 Purchase or acquisition of real property by the  
560 People's Republic of China prohibited.-

561 (1) (a) The following persons or entities may not directly  
562 or indirectly own, have a controlling interest in, or acquire by  
563 purchase, grant, devise, or descent any interest, except a de  
564 minus indirect interest, in real property in this state:

565 1. The People's Republic of China, the Chinese Communist  
566 Party, or any official or member of the People's Republic of  
567 China or the Chinese Communist Party.

568 2. Any other political party or member of a political party  
569 or a subdivision of a political party in the People's Republic  
570 of China.

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

575 4. Any person who is domiciled in the People's Republic of  
576 China and who is not a citizen or lawful permanent resident of  
577 the United States.

578 5. Any person, entity, or collection of persons or entities  
579 described in subparagraphs 1. through 4. having a controlling  
580 interest in a partnership, association, corporation,

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581 organization, trust, or any other legal entity or subsidiary  
582 formed for the purpose of owning real property in this state.

583 (b) A person or entity has a de minimus indirect interest  
584 if any ownership is the result of the person's or entity's  
585 ownership of registered equities in a publicly traded company  
586 owning the land and if the person's or entity's ownership  
587 interest in the company is either:

588 1. Less than 5 percent of any class of registered equities  
589 or less than 5 percent in the aggregate in multiple classes of  
590 registered equities; or

591 2. A noncontrolling interest in an entity controlled by a  
592 company that is both registered with the United States  
593 Securities and Exchange Commission as an investment adviser  
594 under the Investment Advisers Act of 1940, as amended, and is  
595 not a foreign entity.

596 (2) Notwithstanding subsection (1), a natural person  
597 described in paragraph (1)(a) may purchase one residential real  
598 property that is up to 2 acres in size if all of the following  
599 apply:

600 (a) The parcel is not on or within 5 miles of any military  
601 installation in this state.

602 (b) The person has a current verified United States Visa  
603 that is not limited to authorizing tourist-based travel or  
604 official documentation confirming that the person has been  
605 granted asylum in the United States and such visa or  
606 documentation authorizes the person to be legally present within  
607 this state.

608 (c) The purchase is in the name of the person who holds the  
609 visa or official documentation described in paragraph (b).

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610       (3) A person or entity described in paragraph (1)(a) that  
611 directly or indirectly owns or acquires any interest in real  
612 property in this state before July 1, 2023, may continue to own  
613 or hold such real property, but may not purchase or otherwise  
614 acquire by grant, devise, or descent any additional real  
615 property in this state.

616       (4)(a) A person or entity described in paragraph (1)(a),  
617 subsection (2), or subsection (5) must register with the  
618 Department of Economic Opportunity if the person or entity owns  
619 or acquires more than a de minimus indirect interest in real  
620 property in this state. The department must establish a form for  
621 such registration which, at a minimum, must include all of the  
622 following:

- 623           1. The name of the owner of the real property.  
624           2. The address of the real property, the property  
625 appraiser's parcel identification number, and the property's  
626 legal description.

627       (b) A person or entity that fails to timely file a  
628 registration with the department is subject to a civil penalty  
629 of \$1,000 for each day that the registration is late. The person  
630 or entity subject to the registration requirements must register  
631 the property or property interests owned or acquired before July  
632 1, 2023, by December 31, 2023. The registration is considered to  
633 be late 30 days after January 31, 2024. A person or entity that  
634 owns or acquires real property or an interest in real property  
635 as authorized under subsection (2) or subsection (5), other than  
636 a de minimus indirect interest, on or after July 1, 2023, must  
637 register the real property or interest within 30 days after the  
638 property or interest is owned or acquired. The department may

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639 place a lien against the unregistered real property for the  
640 unpaid balance of any penalties assessed under this paragraph.

641 (5) Notwithstanding subsection (1), a person or an entity  
642 described in paragraph (1)(a) may acquire real property in this  
643 state on or after July 1, 2023, by devise or descent, through  
644 the enforcement of security interests, or through the collection  
645 of debts, provided that the person or entity sells, transfers,  
646 or otherwise divests itself of such real property within 3 years  
647 after acquiring the real property, unless the person or entity  
648 is exempt under s. 692.205.

649 (6) (a) At the time of purchase, a buyer of real property in  
650 this state must provide an affidavit signed under penalty of  
651 perjury attesting that the buyer is:

652 1. Not a person or entity described in paragraph (1)(a) or  
653 that the buyer is a person described in paragraph (1)(a) but is  
654 authorized under subsection (2) to purchase the subject  
655 property; and

656 2. In compliance with the requirements of this section.

657 (b) The failure to obtain or maintain the affidavit does  
658 not:

659 1. Affect the title or insurability of the title for the  
660 real property; or

661 2. Subject the closing agent to civil or criminal  
662 liability, unless the closing agent has actual knowledge that  
663 the transaction will result in a violation of this section.

664 (c) The Florida Real Estate Commission shall adopt rules to  
665 implement this subsection, including rules establishing the form  
666 for the affidavit required under this subsection.

667 (7) (a) If any real property is owned or acquired in

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668 violation of this section, the real property may be forfeited to  
669 the state.

670 (b) The Department of Economic Opportunity may initiate a  
671 civil action in the circuit court of the county in which the  
672 property lies for the forfeiture of the real property or any  
673 interest therein.

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

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

687 (e) The department may sell the real property subject to a  
688 final judgment of forfeiture. Any proceeds from the sale must  
689 first be paid to any lienholders of the land, followed by  
690 payment of any outstanding fines assessed pursuant to this  
691 section, after which the department must be reimbursed for all  
692 costs related to the forfeiture civil action and any costs  
693 related to the sale of the land. Any remaining proceeds must be  
694 paid to the property owner.

695 (f) At any time during the forfeiture proceeding the  
696 department may seek an ex parte order of seizure of the real

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697 property upon a showing that the defendant's control of the real  
698 property constitutes a clear and present danger to the state.

699 (8) A violation of this section constitutes a felony of the  
700 third degree, punishable as provided in s. 775.082, s. 775.083,  
701 or s. 775.084.

702 (9) A person who knowingly sells real property or any  
703 interest therein in violation of this section commits a  
704 misdemeanor of the first degree, punishable as provided in s.  
705 775.082 or s. 775.083.

706 (10) The Department of Economic Opportunity shall adopt  
707 rules to implement this section.

708 Section 8. Section 692.205, Florida Statutes, is created to  
709 read:

710 692.205 Inapplicability of this part to real property for  
711 diplomatic purposes.—This part does not apply to a foreign  
712 principal that acquires real property for a diplomatic purpose  
713 that is recognized, acknowledged, or allowed by the Federal  
714 Government.

715 Section 9. Present subsections (3), (4), and (5) of section  
716 408.051, Florida Statutes, are redesignated as subsections (4),  
717 (5), and (6), respectively, a new subsection (3) is added to  
718 that section, and subsection (2) of that section is reordered  
719 and amended, to read:

720 408.051 Florida Electronic Health Records Exchange Act.—

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

722 (c) ~~(a)~~ "Electronic health record" means a record of a  
723 person's medical treatment which is created by a licensed health  
724 care provider and stored in an interoperable and accessible  
725 digital format.

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726           ~~(i)-(b)~~ "Qualified electronic health record" means an  
727 electronic record of health-related information concerning an  
728 individual which includes patient demographic and clinical  
729 health information, such as medical history and problem lists,  
730 and which has the capacity to provide clinical decision support,  
731 to support physician order entry, to capture and query  
732 information relevant to health care quality, and to exchange  
733 electronic health information with, and integrate such  
734 information from, other sources.

735           ~~(a)-(e)~~ "Certified electronic health record technology"  
736 means a qualified electronic health record that is certified  
737 pursuant to s. 3001(c)(5) of the Public Health Service Act as  
738 meeting standards adopted under s. 3004 of such act which are  
739 applicable to the type of record involved, such as an ambulatory  
740 electronic health record for office-based physicians or an  
741 inpatient hospital electronic health record for hospitals.

742           (b) "Cloud computing" has the same meaning as in s.  
743 282.0041.

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

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

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

747           3. A health care professional certified under part IV of  
748 chapter 468.

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

750           5. A service provider as defined in s. 394.455 and the  
751 service provider's clinical and nonclinical staff who provide  
752 inpatient or outpatient services.

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

754           7. A pharmacy permitted under chapter 465.

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

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

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

766           ~~(h)~~ (g) "Patient representative" means a parent of a minor  
767 patient, a court-appointed guardian for the patient, a health  
768 care surrogate, or a person holding a power of attorney or  
769 notarized consent appropriately executed by the patient granting  
770 permission to a health care facility or health care provider to  
771 disclose the patient's health care information to that person.  
772 In the case of a deceased patient, the term also means the  
773 personal representative of the estate of the deceased patient;  
774 the deceased patient's surviving spouse, surviving parent, or  
775 surviving adult child; the parent or guardian of a surviving  
776 minor child of the deceased patient; the attorney for the  
777 patient's surviving spouse, parent, or adult child; or the  
778 attorney for the parent or guardian of a surviving minor child.

779           (3) SECURITY AND STORAGE OF PERSONAL MEDICAL INFORMATION.-  
780 In addition to the requirements in 45 C.F.R. part 160 and  
781 subparts A and C of part 164, a health care provider that  
782 utilizes certified electronic health record technology must  
783 ensure that all patient information stored in an offsite

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784 physical or virtual environment, including through a third-party  
785 or subcontracted computing facility or an entity providing cloud  
786 computing services, is physically maintained in the continental  
787 United States or its territories or Canada. This subsection  
788 applies to all qualified electronic health records that are  
789 stored using any technology that can allow information to be  
790 electronically retrieved, accessed, or transmitted.

791 Section 10. Subsections (14) and (15) are added to section  
792 408.810, Florida Statutes, to read:

793 408.810 Minimum licensure requirements.—In addition to the  
794 licensure requirements specified in this part, authorizing  
795 statutes, and applicable rules, each applicant and licensee must  
796 comply with the requirements of this section in order to obtain  
797 and maintain a license.

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

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

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

810 1. "Business relationship" means engaging in commerce in  
811 any form, including, but not limited to, acquiring, developing,  
812 maintaining, owning, selling, possessing, leasing, or operating

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813 equipment, facilities, personnel, products, services, personal  
814 property, real property, military equipment, or any other  
815 apparatus of business or commerce.

816 2. "Foreign country of concern" has the same meaning as in  
817 s. 692.201.

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

819 Section 11. Section 836.05, Florida Statutes, is amended to  
820 read:

821 836.05 Threats; extortion.—

822 (1) Whoever, either verbally or by a written or printed  
823 communication, maliciously threatens to accuse another of any  
824 crime or offense, or by such communication maliciously threatens  
825 an injury to the person, property or reputation of another, or  
826 maliciously threatens to expose another to disgrace, or to  
827 expose any secret affecting another, or to impute any deformity  
828 or lack of chastity to another, with intent thereby to extort  
829 money or any pecuniary advantage whatsoever, or with intent to  
830 compel the person so threatened, or any other person, to do any  
831 act or refrain from doing any act against his or her will,  
832 commits shall be guilty of a felony of the second degree,  
833 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

834 (2) A person who commits a violation of subsection (1) and  
835 at the time of the violation is acting as a foreign agent, as  
836 defined in s. 812.081(1), with the intent of benefiting a  
837 foreign country of concern, as defined in s. 692.201, commits a  
838 felony of the first degree, punishable as provided in s.  
839 775.082, s. 775.083, or s. 775.084.

840 Section 12. This act shall take effect July 1, 2023.