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2 An act relating to foreign countries of concern;
3 amending s. 381.0202, F.S.; prohibiting laboratories
4 from using certain operational or research software
5 produced in or by a foreign country of concern, a
6 state-owned enterprise of a foreign country of
7 concern, or a company domiciled within a foreign
8 country of concern; defining the term "foreign country
9 of concern"; amending s. 408.810, F.S.; providing
10 certain protections for licensees who fail to obtain
11 assurances from a person or an entity that indirectly
12 owns a controlling interest in the licensee or
13 indirectly holds an interest in certain entities;
14 revising and providing definitions; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Subsection (5) is added to section 381.0202,
20 Florida Statutes, to read:

21 381.0202 Laboratory services.—

22 (5) The department may not allow in any laboratory under
23 this section the use of any operational or research software
24 used for genetic sequencing that is produced in or by a foreign
25 country of concern, a state-owned enterprise of a foreign
26 country of concern, or a company domiciled within a foreign
27 country of concern. For purposes of this subsection, the term
28 "foreign country of concern" means the People's Republic of
29 China, the Russian Federation, the Islamic Republic of Iran, the

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30 Democratic People's Republic of Korea, the Republic of Cuba, the
31 Venezuelan regime of Nicolás Maduro, or the Syrian Arab
32 Republic, including any agency of such foreign country of
33 concern.

34 Section 2. Subsection (15) of section 408.810, Florida
35 Statutes, is amended to read:

36 408.810 Minimum licensure requirements.—In addition to the
37 licensure requirements specified in this part, authorizing
38 statutes, and applicable rules, each applicant and licensee must
39 comply with the requirements of this section in order to obtain
40 and maintain a license.

41 (15) (a) The licensee must ensure that a person or an entity
42 that ~~who~~ possesses a controlling interest does not hold, either
43 directly or indirectly, regardless of ownership structure, an
44 interest in an entity that has a business relationship with a
45 foreign country of concern or that is subject to s. 287.135.

46 (b) The failure of a licensee to obtain assurances from a
47 person or an entity that indirectly owns a controlling interest
48 in the licensee or indirectly holds an interest in an entity as
49 specified in paragraph (a) does not:

50 1. Affect the license or insurability of the licensee; or

51 2. Subject the licensee to civil or criminal liability,

52 unless the licensee has actual knowledge that an indirect
53 interest holder is:

54 a. A foreign principal from a foreign country of concern;

55 and

56 b. Not in compliance with the requirements of this section.

57 (c) ~~(b)~~ For purposes of this subsection, the term:

58 1. "Business relationship" means engaging in commerce in

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59 any form, which includes ~~including, but not limited to,~~
60 acquiring, developing, maintaining, owning, selling, possessing,
61 leasing, or operating equipment, facilities, personnel,
62 products, services, personal property, real property, or
63 military equipment, ~~or any other apparatus of business or~~
64 ~~commerce.~~

65 2. "Foreign country of concern" means the People's Republic
66 of China, the Russian Federation, the Islamic Republic of Iran,
67 the Democratic People's Republic of Korea, the Republic of Cuba,
68 the Venezuelan regime of Nicolás Maduro, or the Syrian Arab
69 Republic, including any agency of such foreign country of
70 concern ~~has the same meaning as in s. 692.201.~~

71 3. "Foreign principal" has the same meaning as in s.
72 692.201.

73 4. "Indirect interest holder" means a person or an entity
74 which, at the time of initial application or renewal, owns less
75 than 5 percent of the licensee; owns less than 5 percent in the
76 management company or other entity that contracts with the
77 licensee to manage the provider; or owns equities in a publicly
78 traded company that has a controlling interest or noncontrolling
79 interest in the licensee.

80 ~~5.3.~~ "Interest" has the same meaning as in s. 286.101(1).
81 Section 3. This act shall take effect July 1, 2025.