

# FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/CS/CS/HB 905](#)

**TITLE:** Foreign Influence

**SPONSOR(S):** Persons-Mulicka

**COMPANION BILL:** [CS/CS/SB 1178](#) (Grall)

**LINKED BILLS:** None

**RELATED BILLS:** None

**FINAL HOUSE FLOOR ACTION:** 83 Y's

17 N's

**GOVERNOR'S ACTION:** Pending

## SUMMARY

### Effect of the Bill:

The bill limits foreign influence by foreign countries of concern (FCOCs) and designated foreign terrorist organizations across government operations by:

- Requiring public officers and employees to repay double the value of any benefit received from FCOCs or designated foreign terrorist organizations in violation of law.
- Prohibiting sister city agreements and postsecondary linkage institute partnerships with FCOCs, and terminating existing agreements.
- Prohibiting charitable organizations from accepting contributions from designated foreign terrorist organizations.
- Establishing penalty enhancements related to foreign influence.
- Authorizing a local government or tax collector to revoke a business tax receipt of an individual or business doing business with Cuba in violation of federal law.
- Authorizing the Governor to temporarily suspend statutes and rules restricting interactions with Cuba if the federal government changes Cuba's diplomatic status.
- Prohibiting preplanned adoption agreements and gestational surrogacy contracts if a party is a citizen or resident of a FCOC.

### Fiscal or Economic Impact:

The bill will likely have an indeterminate, negative fiscal impact on state government expenditures, which is expected to be absorbed within existing resources. To the extent the bill results in additional incarcerations under the enhanced criminal penalties, the bill may have an indeterminate, positive prison bed impact.

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## ANALYSIS

### EFFECT OF THE BILL:

#### **Ethics in Government**

The bill prohibits public officers, public employees, local government attorneys, and candidates from soliciting or accepting anything of value from a FCOC or a [designated foreign terrorist organization](#) (foreign terrorist organization). The bill requires the Commission on Ethics to update ethics training curricula by November 1, 2026, to include:

- Known efforts by FCOC to target and influence subnational governments, including, but not limited to, the Chinese Communist Party's [United Front strategy](#).
- How to identify, recognize, and report suspected foreign influence campaigns.
- Enhanced penalties for violations relating to gifts from FCOCs or designated terrorist organizations. (Sections [2](#) and [3](#))

**STORAGE NAME:** h0905z.GOS

**DATE:** 3/31/2026

### **Business with Cuba**

The bill amends the Local Business Tax Act to authorize a county, municipality, or tax collector to revoke or refuse to renew the business tax receipt of an individual, business, or entity that is doing business with Cuba in violation of federal law. The bill removes a provision in current law authorizing revocation or refusal to renew based on a parent company's business activities in Cuba. (Section [4](#))

The bill also authorizes an appropriate tax collector or local governing authority to request a sworn affidavit or declaration from an individual, business, or entity attesting whether the individual, business, or entity is doing business with Cuba in violation of federal law. A person who knowingly makes a false declaration related to such sworn affidavit or declaration commits perjury by false written declaration, a third-degree felony.<sup>1</sup> (Section [4](#))

### **Support for a Free and Independent Cuba**

The bill authorizes the Governor to temporarily suspend statutes and rules restricting interactions with Cuba if the federal government changes Cuba's diplomatic status. The suspension may not extend beyond adjournment sine die of the regular legislative session following the suspension and may not be renewed or extended. (Section [7](#))

If the Governor exercises this authority, he or she may not subsequently suspend the same statute or rule unless expressly authorized by the Legislature. The bill also requires the Governor to submit written policy recommendations to the presiding officers of the Legislature before the next regular session following the change in diplomatic status, or as soon as practicable if the change occurs shortly before or during a regular session. (Section [7](#))

The bill provides that this provision is repealed on October 2, 2028, unless reenacted by the Legislature. (Section [7](#))

### **International Agreements**

The bill limits the Secretary of State's authority to encourage sister city and sister state affiliations by prohibiting the coordination or promotion of such affiliations with FCOCs or their subdivisions. The bill also requires the Department of State to publish and maintain a current list of all foreign consulate offices and all sister city and sister state affiliations. The department must update the list on a quarterly basis. (Section [5](#))

In addition, the bill prohibits a state agency, political subdivision, or public school authorized to expend state-appropriated funds or levy ad valorem taxes from participating in any agreement with, or accepting any grants from, a FCOC or its subdivisions, or any entity controlled by a FCOC. Any such agreements that are in effect on July 1, 2026, including sister city agreements, are terminated on that date. (Section [8](#))

### **Postsecondary Linkage Institutes**

The bill repeals the Florida–China Linkage Institute currently established at the University of West Florida, the University of South Florida, and Eastern Florida State College. The bill also prohibits the remaining linkage institutes from entering into any agreement or participating in any activities with a FCOC or any organization in those countries. (Section [6](#))

Additionally, the bill repeals a provision that authorizes linkage institutes to designate up to 25 foreign students per year as in-state residents for tuition purposes. (Section [6](#))

### **Charitable Organizations**

The bill revises the definition of "foreign source of concern" under the Solicitation of Contributions Act to include foreign terrorist organizations and agents acting on behalf of those organizations. As a result, charitable organizations and sponsors are prohibited from soliciting or accepting anything of value from these entities and are subject to the administrative penalties prescribed in current law. (Section [10](#))

<sup>1</sup> A third-degree felony is punishable by up to five years imprisonment and a \$5,000 fine. See [ss. 775.082, 775.083](#), and [775.084, F.S.](#)

In addition, to be included on the [Honest Services Registry](#), the bill requires charitable organizations and sponsors to attest that they do not solicit nor accept funding, support, or services from foreign terrorist organizations and their messaging and content are not directly or indirectly produced or influenced by such organizations. (Section [10](#))

### **Criminal Penalty Reclassification for Foreign-influenced Offenses**

The bill authorizes enhanced penalties when a crime is committed for the purpose of benefiting, promoting, or furthering the interests of a foreign government, a foreign terrorist organization, or an agent acting on behalf of such an entity. Qualifying offenses are subject to reclassification to the next higher level of severity—a second-degree misdemeanor becomes a first-degree misdemeanor, a first-degree misdemeanor becomes a third-degree felony, and so on all the way up to the reclassification of a first-degree felony as a life felony. (Section [12](#))

In addition, the bill establishes a mandatory minimum sentence of 15 years imprisonment for persons convicted of a first-degree felony or a life felony that has been reclassified under these provisions. (Section [12](#))

### **[Preplanned Adoption Agreements and Gestational Surrogacy Contracts](#)**

The bill prohibits a preplanned adoption agreement if the volunteer mother, intended father, or intended mother is a citizen or resident of a FCOC. (Section [14](#))

The bill also prohibits execution of a gestational surrogacy contract if any party to the contract is a citizen or resident of a FCOC, and provides that a gestational surrogacy contract entered into in violation of this prohibition is void and unenforceable. (Section [15](#))

### **Short Title**

The bill provides that the act may be cited as the “Foreign Interference Restriction and Enforcement Act.” (Section [1](#))

### **Conforming Changes**

The bill makes conforming changes. (Multiple Sections)

### **Effective Date**

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2026. (Section [16](#))

### **RULEMAKING:**

Current law requires the Commission on Ethics to adopt rules establishing minimum course content for ethics training. The bill requires the commission to revise those rules by a specified date to include certain content relating to FCOC.

***Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.***

### **FISCAL OR ECONOMIC IMPACT:**

#### **STATE GOVERNMENT:**

The bill will likely have an indeterminate, negative fiscal impact on state government expenditures. The Commission on Ethics may incur costs associated with implementing updated ethics training curricula; however, these additional costs can likely be absorbed within existing resources.

The bill also enhances penalties for certain crimes when committed for the purposes of benefiting or furthering the interests of a foreign government or foreign terrorist organization, and creates a third-degree felony offense if a

person knowingly makes a false declaration in a specified sworn affidavit or declaration requested by a tax collector or local governing authority. To the extent these provisions result in additional incarcerations or increased sentences, the bill may have an indeterminate positive prison bed impact.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Business with Cuba

The Local Business Tax Act<sup>2</sup> authorizes counties and municipalities to levy a local business tax and to issue business tax receipts to persons engaged in or managing a business, profession, or occupation within their jurisdiction.<sup>3</sup> Business tax receipts are sold by the appropriate tax collector and must be renewed annually. A person who engages in or manages a business without obtaining the required business tax receipt, or who fails to timely pay the required tax, is subject to delinquency payments, administrative costs, and civil actions.<sup>4</sup>

A county or municipality issuing a business tax receipt may revoke or refuse to renew the receipt if the individual, business, or entity, or its parent company, is doing business with Cuba.<sup>5</sup>

#### Odebrecht Construction, Inc. v. Secretary, Florida Department of Transportation

In 2012, the Legislature passed CS/CS/HB 959, which included a provision that prohibited state and local government entities from contracting for certain goods or services with any company engaged in business in Cuba or with any company affiliated with a company that engaged in business in Cuba.<sup>6</sup> Before the act became effective, the law was preliminarily enjoined by the U.S. District Court for the Southern District of Florida. The next year, the U.S. Court of Appeals for the Eleventh Circuit affirmed the preliminary injunction against enforcement of the law on grounds that the plaintiff demonstrated a substantial likelihood of success on its claim that the bill's contracting prohibition was "preempted by the extensive federal Cuban sanctions regime."<sup>7</sup> The court noted that the law swept more broadly than the federal sanctions regime and interfered with the President's discretion in administering Cuba-related sanctions, including by penalizing entities not themselves in violation of federal law.<sup>8</sup>

#### Support for a Free and Independent Cuba

Current law expresses the state's support for the self-determination of the Cuban people, a peaceful transition to representative democracy, and neutrality in the people's selection of their future government.<sup>9</sup> Upon a presidential determination that a democratically elected government exists in Cuba, Florida supports federal actions to:

- Restore diplomatic recognition.
- Reintegrate Cuba into the Inter-American system.
- Remove the economic embargo.<sup>10</sup>
- Pursue a mutually beneficial trading relationship.<sup>11</sup>

Florida's participation in the economic embargo terminates upon transmittal to Congress of such a presidential determination.<sup>12</sup>

<sup>2</sup> Chapter 205, F.S., may be cited as the "Local Business Tax Act." [S. 205.013, F.S.](#)

<sup>3</sup> [Ss. 205.032](#) and [205.042, F.S.](#)

<sup>4</sup> See [s. 205.053, F.S.](#)

<sup>5</sup> The Governor may waive this provision, however, for certain humanitarian reasons. [S. 205.0532, F.S.](#)

<sup>6</sup> [Ch. 2012-196, L.O.F.](#)

<sup>7</sup> *Odebrecht Constr., Inc. v. Sec'y, Fla. Dep't of Tranp.*, 715 F.3d 1268, 1290 (11th Cir. 2013).

<sup>8</sup> *Id.*

<sup>9</sup> [S. 288.854\(1\), F.S.](#)

<sup>10</sup> The United States maintains a comprehensive economic embargo on Cuba, first imposed in 1962 by President John F. Kennedy and implemented through federal statutes and regulations administered primarily by the U.S. Department of Commerce and the U.S. Department of the Treasury. See U.S. Department of State, [Cuba Sanctions](#) (last visited Feb. 17, 2026).

<sup>11</sup> [S. 288.854\(2\), F.S.](#)

<sup>12</sup> [S. 288.854\(3\), F.S.](#)

## Ethics in Government

The State Constitution provides that a “public office is a public trust” and that the people “have the right to secure and sustain that trust against abuse.”<sup>13</sup> To assure this right, the Constitution requires certain financial and campaign disclosures, prohibits the abuse of public office for private gain, and provides lobbying restrictions. The Constitution also provides for the Commission on Ethics,<sup>14</sup> an independent body to investigate alleged breaches of the public trust by public officers and employees, and directs the Legislature to enact a code of ethics for public officers and employees.<sup>15</sup>

The Legislature has enacted the Code of Ethics for Public Officers and Employees,<sup>16</sup> which, among other requirements, prohibits public officers, public employees, local government attorneys, and candidates from soliciting or accepting anything of value when such acceptance is intended to influence official action or judgement.<sup>17</sup> The Code of Ethics also requires constitutional officers,<sup>18</sup> elected municipal officers, commissioners of community redevelopment agencies, and elected local officers of independent special districts to complete four hours of ethics training every year.<sup>19</sup> The Commission on Ethics is required to adopt rules establishing minimum course content for these ethics training programs.<sup>20</sup>

## International Agreements

The head of the Department of State is the Secretary of State who is appointed by and serves at the pleasure of the Governor, subject to Senate confirmation.<sup>21</sup> The Secretary serves as the state protocol officer<sup>22</sup> and is responsible for consular relations with foreign governments, including oversight of the sister city and sister state program.<sup>23</sup>

Sister city and sister state relationships are generally broad, long-term partnerships between communities in different countries and may involve cultural, educational, municipal, business, or trade exchanges.<sup>24</sup> The Secretary is authorized to coordinate and encourage participation by the state and its political subdivisions in sister city and sister state affiliations through conferences, information sharing, and other activities involving international bodies.<sup>25</sup> However, state agencies, political subdivisions, and public schools are prohibited from participating in any agreements with or accepting grants from a FCOC or an entity controlled by such a country if the agreement or grant:

- Constrains the public entity’s freedom of contract;
- Allows a foreign country of concern to direct curriculum or program values; or
- Promotes an agenda detrimental to the safety or security of the United States or its residents.<sup>26</sup>

<sup>13</sup> [Art. II, s. 8, FLA. CONST.](#)

<sup>14</sup> [Art. II, s. 8\(3\), FLA. CONST.](#) The Commission on Ethics is a bipartisan, nine-member body, with five members appointed by the Governor and two members each appointed by the presiding officers of the Legislature, and is administered by an executive director hired by the commission. [S. 112.321, F.S.](#)

<sup>15</sup> [Art. II, s. 8\(g\)-\(h\), FLA. CONST.](#) These provisions do not apply to the judicial branch. Ethical standards and discipline for judicial officers are governed through the Judicial Qualifications Commission with final disciplinary authority vested in the Florida Supreme Court. [Art. V, s. 12, FLA. CONST.](#)

<sup>16</sup> See [pt. III, ch. 112, F.S.](#)

<sup>17</sup> [S. 112.313\(1\), F.S.](#)

<sup>18</sup> The term “constitutional officers” includes the Governor, the Lieutenant Governor, the Attorney General, the Chief Financial Officer, the Commissioner of Agriculture, state attorneys, public defenders, sheriffs, tax collectors, property appraisers, supervisors of elections, clerks of the circuit court, county commissioners, district school board members, and superintendents of schools. [S. 112.3142\(1\), F.S.](#)

<sup>19</sup> [S. 112.3142\(2\)\(a\)-\(d\), F.S.](#)

<sup>20</sup> [S. 112.3142\(2\)\(e\), F.S.](#); see also r. 34-7.025, F.A.C.

<sup>21</sup> [S. 20.10\(1\), F.S.](#)

<sup>22</sup> The Secretary of State develops, maintains, publishes, and distributes the state protocol manual. [S. 15.01\(1\), F.S.](#)

<sup>23</sup> [S. 288.816\(1\)-\(2\), F.S.](#)

<sup>24</sup> Department of State, [Florida Sister Cities](#) (last visited Feb. 3, 2026).

<sup>25</sup> See [s. 288.816\(3\), F.S.](#)

<sup>26</sup> [S. 288.860\(2\), F.S.](#)

## Postsecondary Linkage Institutes

Current law authorizes the creation of linkage institutes between Florida postsecondary institutions and select foreign countries to promote “economic, cultural, educational, and social ties between this state and strategic foreign countries.”<sup>27</sup> These institutions are intended to promote “cooperative research and technical assistance activities, increased bilateral commerce, student and faculty exchange, cultural exchange, and enhancement of language training skills” between Florida institutions and counterpart organizations abroad.<sup>28</sup> Each linkage institute is jointly administered by a state university and Florida College System institution and operates pursuant to an agreement involving the Board of Governors and the State Board of Education.<sup>29</sup> Institutes report to the Department of Education and are supported by advisory committees representing public and private sector interests related to international education and commerce.

Current law establishes linkage institutes associated with Brazil, Costa Rica, the Caribbean, Canada, China,<sup>30</sup> Japan, France, Israel, West Africa, Eastern Europe, and Mexico.<sup>31</sup> Linkage institutes are authorized to designate up to 25 full-time equivalent students per year from the respective host countries to attend Florida state universities or colleges as in-state residents for tuition purposes.<sup>32</sup> Participating students are required to return to their home countries within three years for a period of time equal to their exemption period following completion of their studies.

## Charitable Organizations

Current law prohibits a charitable organization or sponsor<sup>33</sup> from soliciting or accepting contributions or anything of value from a foreign source of concern.<sup>34</sup> The term “foreign source of concern” is defined to include:

- Foreign governments and officials of FCOCs.
- Political parties and political party members in FCOCs.
- Business entities organized under the laws of, or having their principal place of business in, a FCOC, and their subsidiaries.
- Individuals domiciled in a FCOC who are not U.S. citizens or lawful permanent residents.
- Agents or affiliates acting on behalf of a foreign source of concern.
- Entities in which such person or entity holds a controlling interest.<sup>35</sup>

A first violation of the prohibited act is considered involuntary and will result in no punitive action if the charitable organization satisfies special remedial requirements, including providing an attestation form in which the foreign entity certified it was not a foreign source of concern, refunding the contribution, and demonstrating safeguards to prevent future violations.<sup>36</sup> Subsequent violations may subject the organization or sponsor to enforcement action and administrative penalties.<sup>37</sup>

## Honest Services Registry

Within the Department of Agriculture and Consumer Services (DACCS), there is an Honest Services Registry, the

<sup>27</sup> [S. 288.8175\(1\), F.S.](#)

<sup>28</sup> *Id.*

<sup>29</sup> [S. 288.8175\(2\)-\(3\), F.S.](#)

<sup>30</sup> The Florida-China Institute is established at the University of West Florida, the University of South Florida, and Eastern Florida State College. [S. 288.8175\(4\)\(e\), F.S.](#)

<sup>31</sup> [S. 288.8175\(4\), F.S.](#)

<sup>32</sup> [S. 288.8175\(5\), F.S.](#)

<sup>33</sup> “Sponsor” means a group or person who is or holds herself or himself out to be soliciting contributions by the use of a name that implies that the group or person is in any way affiliated with or organized for the benefit of emergency service employees or law enforcement officers and the group or person is not a charitable organization. The term includes a chapter, branch, or affiliate that has its principal place of business outside the state if such chapter, branch, or affiliate solicits or holds itself out to be soliciting contributions in this state. [S. 496.404\(27\), F.S.](#)

<sup>34</sup> [S. 496.415\(20\), F.S.](#)

<sup>35</sup> [S. 496.404\(14\), F.S.](#)

<sup>36</sup> [S. 496.404\(20\)\(a\), F.S.](#)

<sup>37</sup> See [ss. 496.415\(20\)\(b\)](#) and [496.419\(5\), F.S.](#)

purpose of which is to provide the public with information regarding charitable organizations' independence from foreign influence. To be listed on the registry, a charitable organization must attest that it "does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern" and that its "messaging and content are not directly or indirectly produced or influenced by a foreign source of concern."<sup>38</sup> DACS is required to publish the registry on its website and adopt rules to implement these requirements.<sup>39</sup>

### **Designated Foreign Terrorist Organizations**

Under federal law, the U.S. Secretary of State designates foreign terrorist organizations<sup>40</sup> based on findings that the organization engages in terrorist activity and threatens the security of U.S. nationals or the national security of the U.S.<sup>41</sup>

Current law criminalizes specified conduct involving designated foreign terrorist organizations, including the use of military-type training received from a designated foreign terrorist organization to unlawfully harm persons or damage critical infrastructure facilities.<sup>42</sup> Knowingly providing material support or resources to designated foreign terrorist organizations is also prohibited and subject to criminal penalties, including funding, training, advising, or equipping such organizations.<sup>43</sup> In addition, membership in a designated foreign terrorist organization, or acting under the organization's direction or control with the intent to further its illegal activities, is subject to criminal penalties.<sup>44</sup>

### **United Front Strategy**

China employs a political influence strategy known as "United Front" work to manage, co-opt, and mitigate "potential opposition to the policies and authority of the Chinese Communist Party (CCP)."<sup>45</sup> The CCP entity responsible for coordinating this effort, the United Front Work Department, primarily focuses on managing groups within China but also carries out significant activities directed abroad. In the international context, work by the United Front Work Department includes efforts aimed at engaging and influencing ethnic Chinese individuals, as well as broader influence operations conducted through affiliated organizations that target foreign institutions and governments. Some of these organizations have explicit ties to the CCP's United Front Work Department, while others operate with less transparent connections.<sup>46</sup>

### **Preplanned Adoption Agreements and Gestational Surrogacy Contracts**

Current law recognizes two primary statutory surrogacy frameworks: preplanned adoption agreements<sup>47</sup> and gestational surrogacy contracts.<sup>48</sup> Their respective statutory provisions establish distinct legal pathways for determining parental rights when a child is conceived through assisted reproductive technology.

The Florida Adoption Act<sup>49</sup> governs adoption procedures, termination of parental rights, and the placement of minors for adoption. Under a preplanned adoption agreement, a volunteer mother (i.e., the surrogate) agrees to become pregnant using assisted reproductive technology and to relinquish parental rights after birth in favor of the intended parents.<sup>50</sup> Preplanned adoption agreements must contain specified contractual provisions, including:

<sup>38</sup> [S. 496.431\(2\)\(a\)-\(b\), F.S.](#)

<sup>39</sup> [S. 496.431, F.S.](#)

<sup>40</sup> The U.S. Department of State maintains a current list of designated foreign terrorist organizations pursuant to s. 219 of the Immigration and Nationality Act. See U.S. Department of State, [Foreign Terrorist Organizations](#) (last visited Feb. 3, 2026).

<sup>41</sup> 8 U.S.C. 1189(a)(1).

<sup>42</sup> [S. 775.32, F.S.](#)

<sup>43</sup> [S. 775.33, F.S.](#)

<sup>44</sup> [S. 775.34, F.S.](#)

<sup>45</sup> U.S.-China Economic and Security Review Commission, [China's Overseas United Front Work: Background and Implications for the United States](#) (last visited Feb. 3, 2026).

<sup>46</sup> *Id.*

<sup>47</sup> See [s. 63.213, F.S.](#)

<sup>48</sup> See [s. 742.15, F.S.](#)

<sup>49</sup> [Chapter 63, F.S.](#), is known as the "Florida Adoption Act." [S. 63.012, F.S.](#)

<sup>50</sup> [S. 63.213\(2\)\(a\), F.S.](#) The volunteer mother may or may not be genetically related to the child.

- Agreement to pregnancy through a specified fertility technique.
- Consent to reasonable medical treatment and prenatal care.
- Allocation of parental responsibility if the agreement fails.
- Financial responsibility for pregnancy-related expenses.
- Immediate acceptance of custody by the intended parents.
- Termination rights that may be exercised by any party.<sup>51</sup>

Current law also regulates gestational surrogacy contracts and governs determinations of parentage in such arrangements. Gestational surrogacy contracts differ from preplanned adoption agreements in that the surrogate is never genetically related to the child. Current law requires:

- A written contract between the commissioning couple (i.e., the intended parents) and the gestational surrogate.
- The commissioning couple to be legally married adults.
- Medical necessity preventing the commissioning mother from safely carrying a pregnancy.
- Advance agreement regarding parental rights and responsibilities.
- Allocation of parental responsibility if the agreement fails.
- Financial responsibility for pregnancy-related expenses.<sup>52</sup>

In both preplanned adoption agreements and gestational surrogacy contracts, Florida courts must ultimately approve the adoption or affirm the parental rights of the intended parents.<sup>53</sup>

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<sup>51</sup> [S. 63.213\(2\), F.S.](#)

<sup>52</sup> [S. 742.15, F.S.](#)

<sup>53</sup> [Ss. 63.213\(1\)\(a\) and 742.16, F.S.](#)