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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 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; authorizing foreign principals to
28 continue to own or hold such land or property under
29 certain circumstances; requiring certain foreign

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

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

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88 place a lien against unregistered real property;
89 requiring certain persons and entities to sell,
90 transfer, or otherwise divest themselves of certain
91 real property within a specified timeframe; requiring
92 buyers of real property to provide a signed affidavit;
93 specifying that the failure to maintain or obtain the
94 affidavit does not affect the title or insurability of
95 the title for the real property or subject the closing
96 agent to certain liability; authorizing the commission
97 to adopt rules; authorizing certain real property to
98 be forfeited to the state; authorizing the Department
99 of Economic Opportunity to initiate civil actions for
100 forfeiture of the interest in real property; requiring
101 such actions to be filed in a certain circuit court;
102 requiring clerks to record a lis pendens; requiring
103 courts to advance the cause on the calendar;
104 authorizing defendants to petition to modify or
105 discharge the lis pendens; requiring the court to
106 enter a specified final judgment under certain
107 circumstances; authorizing the Department of Economic
108 Opportunity to sell the real property; providing
109 requirements for the proceeds from such sale;
110 authorizing the Department of Economic Opportunity to
111 seek a specified ex parte order; providing criminal
112 penalties; requiring the Department of Economic
113 Opportunity to adopt rules; creating s. 692.205, F.S.;
114 providing an exception from ownership restrictions and
115 registration requirements for real property that is
116 used for diplomatic purposes; amending s. 408.051,

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

133
134 Be It Enacted by the Legislature of the State of Florida:

135
136 Section 1. Section 287.138, Florida Statutes, is created to
137 read:

138 287.138 Contracting with entities of foreign countries of
139 concern prohibited.—

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

141 (a) "Controlling interest" means possession of the power to
142 direct or cause the direction of the management or policies of a
143 company, whether through ownership of securities, by contract,
144 or otherwise. A person or entity that directly or indirectly has
145 the right to vote 25 percent or more of the voting interests of

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146 the company or is entitled to 25 percent or more of its profits
147 is presumed to possess a controlling interest.

148 (b) "Department" means the Department of Management
149 Services.

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

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

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

167 (a) The entity is owned by the government of a foreign
168 country of concern;

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

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

173 (3) Beginning July 1, 2025, a governmental entity may not
174 extend or renew a contract with an entity listed in paragraphs

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175 (2) (a)-(c) if the contract would give such entity access to an
176 individual's personal identifying information.

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

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

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

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

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

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

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204 (d) Placement on the suspended vendor list pursuant to s.
205 287.1351.

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

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

211 Section 2. Section 288.007, Florida Statutes, is created to
212 read:

213 288.007 Economic incentives to foreign countries of concern
214 prohibited.-

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

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

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

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

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

232 1. Owned or controlled by the government of a foreign

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233 country of concern; or

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

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

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

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

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

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

257 Section 4. Section 692.201, Florida Statutes, is created to
258 read:

259 692.201 Definitions.—As used in this part, the term:

260 (1) "Agricultural land" means land classified as
261 agricultural under s. 193.461.

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

265 (a) A chemical manufacturing facility.

266 (b) A refinery.

267 (c) An electrical power plant as defined in s. 403.031(20),
268 including a substation, switching station, electrical control
269 center, or electric transmission or distribution facility.

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

272 (e) A natural gas transmission compressor station.

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

274 (g) A telecommunications central switching office.

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

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

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

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

282 (l) An airport as defined in s. 333.01.

283 (3) "Foreign country of concern" means the People's
284 Republic of China, the Russian Federation, the Islamic Republic
285 of Iran, the Democratic People's Republic of Korea, the Republic
286 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian
287 Arab Republic, including any agency of or any other entity of
288 significant control of such foreign country of concern.

289 (4) "Foreign principal" means:

290 (a) The government or any official of the government of a

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291 foreign country of concern;

292 (b) A political party or member of a political party or any
293 subdivision of a political party in a foreign country of
294 concern;

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

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

302 (5) "Military installation" has the same meaning as in 10
303 U.S.C. s. 2801(c) (4) and includes an armory as defined in s.
304 250.01.

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

307 Section 5. Section 692.202, Florida Statutes, is created to
308 read:

309 692.202 Purchase of agricultural land by foreign principals
310 prohibited.—

311 (1) A foreign principal may not directly or indirectly own
312 or acquire by purchase, grant, devise, or descent agricultural
313 land or any interest, except a de minimus indirect interest, in
314 such land in this state. A foreign principal has a de minimus
315 indirect interest if any ownership in such land is the result of
316 the foreign principal's ownership of registered equities in a
317 publicly traded company owning the land and if the foreign
318 principal's ownership interest in the company is less than 5
319 percent of any class of registered equities or less than 5

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320 percent in the aggregate in multiple classes of registered
321 equities.

322 (2) A foreign principal that directly or indirectly owns or
323 acquires agricultural land or any interest in such land in this
324 state before July 1, 2023, may continue to own or hold such land
325 or interest, but may not purchase or otherwise acquire by grant,
326 devise, or descent any additional agricultural land or interest
327 in such land in this state.

328 (3) (a) A foreign principal that directly or indirectly owns
329 or acquires agricultural land or any interest in such land in
330 this state before July 1, 2023, must register with the
331 Department of Agriculture and Consumer Services by January 1,
332 2024. The department must establish a form for such
333 registration, which, at minimum, must include all of the
334 following:

335 1. The name of the owner of the agricultural land or the
336 owner of the interest in such land.

337 2. The address of the agricultural land, the property
338 appraiser's parcel identification number, and the property's
339 legal description.

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

341 (b) A foreign principal that fails to timely file a
342 registration with the department is subject to a civil penalty
343 of \$1,000 for each day that the registration is late. The
344 department may place a lien against the unregistered
345 agricultural land for the unpaid balance of any penalties
346 assessed under this paragraph.

347 (4) Notwithstanding subsection (1), a foreign principal may
348 acquire agricultural land on or after July 1, 2023, by devise or

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349 descent, through the enforcement of security interests, or
350 through the collection of debts, provided that the foreign
351 principal sells, transfers, or otherwise divests itself of the
352 agricultural land within 2 years after acquiring the
353 agricultural land.

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

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

359 (b) The failure to obtain or maintain the affidavit does
360 not:

- 361 1. Affect the title or insurability of the title for the
362 agricultural land; or

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

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

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

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

376 (c) Upon filing such action, the clerk must record a lis
377 pendens in accordance with s. 48.23. The court must advance the

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378 cause on the calendar. The defendant may at any time petition to
379 modify or discharge the lis pendens based upon a finding that
380 there is no probable cause to believe that the agricultural
381 land, or any portion thereof, is owned or held in violation of
382 this section.

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

389 (e) The department may sell the agricultural land subject
390 to a final judgment of forfeiture. Any proceeds from the sale
391 must first be paid to any lienholders of the land, followed by
392 payment of any outstanding fines assessed pursuant to this
393 section, after which the department must be reimbursed for all
394 costs related to the forfeiture civil action and any costs
395 related to the sale of the land. Any remaining proceeds must be
396 paid to the property owner.

397 (f) At any time during the forfeiture proceeding the
398 department may seek an ex parte order of seizure of the
399 agricultural land upon a showing that the defendant's control of
400 the agricultural land constitutes a clear and present danger to
401 the state.

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

406 (8) A person who knowingly sells agricultural land or any

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407 interest therein in violation of this section commits a
408 misdemeanor of the second degree, punishable as provided in s.
409 775.082 or s. 775.083.

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

412 Section 6. Section 692.203, Florida Statutes, is created to
413 read:

414 692.203 Purchase of real property around military
415 installations and critical infrastructure facilities by foreign
416 principals prohibited.-

417 (1) A foreign principal may not directly or indirectly own
418 or acquire by purchase, grant, devise, or descent any interest,
419 except a de minimus indirect interest, in real property within
420 20 miles of any military installation or critical infrastructure
421 facility in this state. A foreign principal has a de minimus
422 indirect interest if any ownership is the result of the foreign
423 principal's ownership of registered equities in a publicly
424 traded company owning the land and if the foreign principal's
425 ownership interest in the company is less than 5 percent of any
426 class of registered equities or less than 5 percent in the
427 aggregate in multiple classes of registered equities.

428 (2) A foreign principal that directly or indirectly owns or
429 acquires any interest in real property within 20 miles of any
430 military installation or critical infrastructure facility in
431 this state before July 1, 2023, may continue to own or hold such
432 real property, but may not purchase or otherwise acquire by
433 grant, devise, or descent any additional real property within 20
434 miles of any military installation or critical infrastructure
435 facility in this state.

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436 (3) (a) A foreign principal that owns or acquires real
437 property within 20 miles of any military installation or
438 critical infrastructure facility in this state before July 1,
439 2023, must register with the Department of Economic Opportunity
440 by January 1, 2024. The department must establish a form for
441 such registration which, at a minimum, must include all of the
442 following:

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

444 2. The address of the real property, the property
445 appraiser's parcel identification number, and the property's
446 legal description.

447 (b) A foreign principal that fails to timely file a
448 registration with the department is subject to a civil penalty
449 of \$1,000 for each day that the registration is late. The
450 department may place a lien against the unregistered real
451 property for the unpaid balance of any penalties assessed under
452 this paragraph.

453 (4) Notwithstanding subsection (1), a foreign principal may
454 acquire real property or any interest therein which is within 20
455 miles of any military installation or critical infrastructure
456 facility in this state on or after July 1, 2023, by devise or
457 descent, through the enforcement of security interests, or
458 through the collection of debts, provided that the foreign
459 principal sells, transfers, or otherwise divests itself of such
460 real property within 2 years after acquiring the real property.

461 (5) (a) At the time of purchase, a buyer of the real
462 property that is within 20 miles of any military installation or
463 critical infrastructure facility in this state must provide an
464 affidavit signed under penalty of perjury attesting that the

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465 buyer is:

466 1. Not a foreign principal; and

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

468 (b) The failure to obtain or maintain the affidavit does
469 not:

470 1. Affect the title or insurability of the title for the
471 real property; or

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

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

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

481 (b) The Department of Economic Opportunity may initiate a
482 civil action in the circuit court of the county in which the
483 property lies for the forfeiture of the real property or any
484 interest therein.

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

492 (d) If the court finds that the real property, or any
493 portion thereof, is owned or held in violation of this section,

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494 the court must enter a final judgment of forfeiture vesting
495 title to the real property in this state, subject only to the
496 rights and interests of bona fide lienholders, and such final
497 judgment relates back to the date of the lis pendens.

498 (e) The department may sell the real property subject to a
499 final judgment of forfeiture. Any proceeds from the sale must
500 first be paid to any lienholders of the land, followed by
501 payment of any outstanding fines assessed pursuant to this
502 section, after which the department must be reimbursed for all
503 costs related to the forfeiture civil action and any costs
504 related to the sale of the land. Any remaining proceeds must be
505 paid to the property owner.

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

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

514 (8) A person who knowingly sells real property or any
515 interest therein in violation of this section commits a
516 misdemeanor of the second degree, punishable as provided in s.
517 775.082 or s. 775.083.

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

520 Section 7. Section 692.204, Florida Statutes, is created to
521 read:

522 692.204 Purchase or acquisition of real property by the

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523 People's Republic of China prohibited.—

524 (1) (a) The following persons or entities may not directly
525 or indirectly own or acquire by purchase, grant, devise, or
526 descent any interest, except a de minimus indirect interest, in
527 real property in this state:

528 1. The People's Republic of China, the Chinese Communist
529 Party, or any official or member of the People's Republic of
530 China or the Chinese Communist Party.

531 2. Any other political party or member of a political party
532 or a subdivision of a political party in the People's Republic
533 of China.

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

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

541 (b) A person or entity has a de minimus indirect interest
542 if any ownership is the result of the person's or entity's
543 ownership of registered equities in a publicly traded company
544 owning the land and if the person's or entity's ownership
545 interest in the company is less than 5 percent of any class of
546 registered equities or less than 5 percent in the aggregate in
547 multiple classes of registered equities.

548 (2) A person or entity described in paragraph (1) (a) that
549 directly or indirectly owns or acquires any interest in real
550 property in this state before July 1, 2023, may continue to own
551 or hold such real property, but may not purchase or otherwise

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552 acquire by grant, devise, or descent any additional real
553 property in this state.

554 (3) (a) A person or entity described in paragraph (1) (a)
555 that owns or acquires real property in this state before July 1,
556 2023, must register with the Department of Economic Opportunity
557 by January 1, 2024. The department must establish a form for
558 such registration which, at a minimum, must include all of the
559 following:

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

561 2. The address of the real property, the property
562 appraiser's parcel identification number, and the property's
563 legal description.

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

570 (4) Notwithstanding subsection (1), a person or an entity
571 described in paragraph (1) (a) may acquire real property in this
572 state on or after July 1, 2023, by devise or descent, through
573 the enforcement of security interests, or through the collection
574 of debts, provided that the person or entity sells, transfers,
575 or otherwise divests itself of such real property within 2 years
576 after acquiring the real property, unless the person or entity
577 is exempt under s. 692.205.

578 (5) (a) At the time of purchase, a buyer of real property in
579 this state must provide an affidavit signed under penalty of
580 perjury attesting that the buyer is:

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581 1. Not a person or entity described in paragraph (1) (a);
582 and
583 2. In compliance with the requirements of this section.
584 (b) The failure to obtain or maintain the affidavit does
585 not:
586 1. Affect the title or insurability of the title for the
587 real property; or
588 2. Subject the closing agent to civil or criminal
589 liability, unless the closing agent has actual knowledge that
590 the transaction will result in a violation of this section.
591 (c) The Florida Real Estate Commission shall adopt rules to
592 implement this subsection, including rules establishing the form
593 for the affidavit required under this subsection.
594 (6) (a) If any real property is owned or acquired in
595 violation of this section, the real property may be forfeited to
596 the state.
597 (b) The Department of Economic Opportunity may initiate a
598 civil action in the circuit court of the county in which the
599 property lies for the forfeiture of the real property or any
600 interest therein.
601 (c) Upon filing such action, the clerk must record a lis
602 pendens in accordance with s. 48.23. The court must advance the
603 cause on the calendar. The defendant may at any time petition to
604 modify or discharge the lis pendens based upon a finding that
605 there is no probable cause to believe that the real property, or
606 any portion thereof, is owned or held in violation of this
607 section.
608 (d) If the court finds that the real property, or any
609 portion thereof, is owned or held in violation of this section,

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610 the court must enter a final judgment of forfeiture vesting
611 title to the real property in this state, subject only to the
612 rights and interests of bona fide lienholders, and such final
613 judgment relates back to the date of the lis pendens.

614 (e) The department may sell the real property subject to a
615 final judgment of forfeiture. Any proceeds from the sale must
616 first be paid to any lienholders of the land, followed by
617 payment of any outstanding fines assessed pursuant to this
618 section, after which the department must be reimbursed for all
619 costs related to the forfeiture civil action and any costs
620 related to the sale of the land. Any remaining proceeds must be
621 paid to the property owner.

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

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

629 (8) A person who sells real property or any interest
630 therein in violation of this section commits a misdemeanor of
631 the first degree, punishable as provided in s. 775.082 or s.
632 775.083.

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

635 Section 8. Section 692.205, Florida Statutes, is created to
636 read:

637 692.205 Inapplicability of this part to real property for
638 diplomatic purposes.—This part does not apply to a foreign

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639 principal that acquires real property for a diplomatic purpose
640 that is recognized, acknowledged, or allowed by the Federal
641 Government.

642 Section 9. Present subsections (3), (4), and (5) of section
643 408.051, Florida Statutes, are redesignated as subsections (4),
644 (5), and (6), respectively, a new subsection (3) is added to
645 that section, and subsection (2) of that section is reordered
646 and amended, to read:

647 408.051 Florida Electronic Health Records Exchange Act.—

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

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

653 (i)~~(b)~~ "Qualified electronic health record" means an
654 electronic record of health-related information concerning an
655 individual which includes patient demographic and clinical
656 health information, such as medical history and problem lists,
657 and which has the capacity to provide clinical decision support,
658 to support physician order entry, to capture and query
659 information relevant to health care quality, and to exchange
660 electronic health information with, and integrate such
661 information from, other sources.

662 (a)~~(e)~~ "Certified electronic health record technology"
663 means a qualified electronic health record that is certified
664 pursuant to s. 3001(c)(5) of the Public Health Service Act as
665 meeting standards adopted under s. 3004 of such act which are
666 applicable to the type of record involved, such as an ambulatory
667 electronic health record for office-based physicians or an

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668 inpatient hospital electronic health record for hospitals.

669 (b) "Cloud computing" has the same meaning as in s.
670 282.0041.

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

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

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

674 3. A health care professional certified under part IV of
675 chapter 468.

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

677 5. A service provider as defined in s. 394.455 and the
678 service provider's clinical and nonclinical staff who provide
679 inpatient or outpatient services.

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

681 7. A pharmacy permitted under chapter 465.

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

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

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

693 (h)~~(g)~~ "Patient representative" means a parent of a minor
694 patient, a court-appointed guardian for the patient, a health
695 care surrogate, or a person holding a power of attorney or
696 notarized consent appropriately executed by the patient granting

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697 permission to a health care facility or health care provider to
698 disclose the patient's health care information to that person.
699 In the case of a deceased patient, the term also means the
700 personal representative of the estate of the deceased patient;
701 the deceased patient's surviving spouse, surviving parent, or
702 surviving adult child; the parent or guardian of a surviving
703 minor child of the deceased patient; the attorney for the
704 patient's surviving spouse, parent, or adult child; or the
705 attorney for the parent or guardian of a surviving minor child.

706 (3) SECURITY AND STORAGE OF PERSONAL MEDICAL INFORMATION.—

707 In addition to the requirements in 45 C.F.R. part 160 and
708 subparts A and C of part 164, a health care provider that
709 utilizes certified electronic health record technology must
710 ensure that all patient information stored in an offsite
711 physical or virtual environment, including through a third-party
712 or subcontracted computing facility or an entity providing cloud
713 computing services, is physically maintained in the continental
714 United States or its territories or Canada. This subsection
715 applies to all qualified electronic health records that are
716 stored using any technology that can allow information to be
717 electronically retrieved, accessed, or transmitted.

718 Section 10. Subsections (14) and (15) are added to section
719 408.810, Florida Statutes, to read:

720 408.810 Minimum licensure requirements.—In addition to the
721 licensure requirements specified in this part, authorizing
722 statutes, and applicable rules, each applicant and licensee must
723 comply with the requirements of this section in order to obtain
724 and maintain a license.

725 (14) The licensee must sign an affidavit at the time of his

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726 or her initial application for a license and on any renewal
727 applications thereafter that attests under penalty of perjury
728 that he or she is in compliance with s. 408.051(3). The licensee
729 must remain in compliance with s. 408.051(3) or the licensee
730 shall be subject to disciplinary action by the agency.

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

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

737 1. "Business relationship" means engaging in commerce in
738 any form, including, but not limited to, acquiring, developing,
739 maintaining, owning, selling, possessing, leasing, or operating
740 equipment, facilities, personnel, products, services, personal
741 property, real property, military equipment, or any other
742 apparatus of business or commerce.

743 2. "Foreign country of concern" has the same meaning as in
744 s. 692.201.

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

746 Section 11. Section 836.05, Florida Statutes, is amended to
747 read:

748 836.05 Threats; extortion.—

749 (1) Whoever, either verbally or by a written or printed
750 communication, maliciously threatens to accuse another of any
751 crime or offense, or by such communication maliciously threatens
752 an injury to the person, property or reputation of another, or
753 maliciously threatens to expose another to disgrace, or to
754 expose any secret affecting another, or to impute any deformity

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755 or lack of chastity to another, with intent thereby to extort
756 money or any pecuniary advantage whatsoever, or with intent to
757 compel the person so threatened, or any other person, to do any
758 act or refrain from doing any act against his or her will,
759 commits ~~shall be guilty of~~ a felony of the second degree,
760 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

761 (2) A person who commits a violation of subsection (1) and
762 at the time of the violation is acting as a foreign agent, as
763 defined in s. 812.081(1), with the intent of benefiting a
764 foreign country of concern, as defined in s. 692.201, commits a
765 felony of the first degree, punishable as provided in s.
766 775.082, s. 775.083, or s. 775.084.

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