

CHAPTER 2025-96

Committee Substitute for Committee Substitute for Senate Bill No. 768

An act relating to foreign countries of concern; amending s. 381.0202, F.S.; prohibiting laboratories from using certain operational or research software produced in or by a foreign country of concern, a state-owned enterprise of a foreign country of concern, or a company domiciled within a foreign country of concern; defining the term “foreign country of concern”; amending s. 408.810, F.S.; providing certain protections for licensees who fail to obtain assurances from a person or an entity that indirectly owns a controlling interest in the licensee or indirectly holds an interest in certain entities; revising and providing definitions; providing an effective date.

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

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

381.0202 Laboratory services.—

(5) The department may not allow in any laboratory under this section the use of any operational or research software used for genetic sequencing that is produced in or by a foreign country of concern, a state-owned enterprise of a foreign country of concern, or a company domiciled within a foreign country of concern. For purposes of this subsection, the term “foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of such foreign country of concern.

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

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

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

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

1. Affect the license or insurability of the licensee; or
2. Subject the licensee to civil or criminal liability, unless the licensee has actual knowledge that an indirect interest holder is:
 - a. A foreign principal from a foreign country of concern; and
 - b. Not in compliance with the requirements of this section.

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

1. “Business relationship” means engaging in commerce in any form, ~~which includes including, but not limited to,~~ acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, ~~or military equipment, or any other apparatus of business or commerce.~~

2. “Foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of such foreign country of concern has the same meaning as in s. 692.201.

3. “Foreign principal” has the same meaning as in s. 692.201.

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

~~5.3.~~ “Interest” has the same meaning as in s. 286.101(1).

Section 3. This act shall take effect July 1, 2025.

Approved by the Governor May 27, 2025.

Filed in Office Secretary of State May 27, 2025.