

## CHAPTER 2026-66

### Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 905

An act relating to foreign influence; providing a short title; amending s. 112.313, F.S.; defining the terms “designated foreign terrorist organization” and “foreign country of concern”; providing penalties for specified persons who solicit or accept anything of value from persons or entities representing a designated foreign terrorist organization or a foreign country of concern; amending s. 112.3142, F.S.; requiring the Commission on Ethics to adopt certain rules by a specified date; amending s. 205.0532, F.S.; authorizing any appropriate tax collector to revoke or refuse to renew business tax receipts of specified individuals, businesses, or entities; authorizing such tax collector or a local governing authority to request a specified sworn affidavit or declaration from such individual, business, or entity; providing criminal penalties; amending s. 288.816, F.S.; prohibiting certain activities encouraging affiliations with foreign countries of concern; requiring the Department of Commerce to publish and update certain information on its website; amending s. 288.8175, F.S.; deleting the Florida-China Institute from the list of linkage institutes; deleting an exemption for linkage institutes; prohibiting a linkage institute from entering into an agreement or participating in an activity with a foreign country of concern; amending s. 288.854, F.S.; authorizing the Governor to suspend certain laws or rules relating to Cuba for a specified period under certain circumstances; prohibiting such suspension from being renewed or extended; prohibiting the Governor from suspending the same laws or rules without express authorization from the Legislature; requiring the Governor to submit to the Legislature certain written recommendations within a specified timeframe; providing for future legislative repeal of certain provisions; amending s. 288.860, F.S.; requiring that certain agreements be terminated by a specified date; amending s. 316.0078, F.S.; revising the definitions of the terms “controlling interest” and “foreign country of concern”; amending s. 496.404, F.S.; revising the definition of the term “foreign source of concern”; amending s. 692.201, F.S.; revising the definition of the term “foreign country of concern”; creating s. 775.08255, F.S.; defining terms; prohibiting enforcement of certain laws of a foreign government; providing enhanced criminal penalties; amending s. 282.802, F.S.; conforming a cross-reference; amending s. 63.213, F.S.; prohibiting preplanned adoption agreements unless certain conditions are met; amending s. 742.15, F.S.; prohibiting contracts for gestational surrogacy unless certain conditions are met; declaring that certain contracts are void and unenforceable; providing an effective date.

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

Section 1. This act may be cited as the “Foreign Interference Restriction and Enforcement Act.”

Section 2. Subsections (1) and (2) of section 112.313, Florida Statutes, are amended to read:

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(1) ~~DEFINITIONS DEFINITION.~~—As used in this section, unless the context otherwise requires, the term:

(a) “Designated foreign terrorist organization” has the same meaning as in s. 775.32.

(b) “Foreign country of concern” has the same meaning as in s. 286.101(1).

(c) “Public officer” includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

(2) SOLICITATION OR ACCEPTANCE OF GIFTS.—

(a) ~~A No public officer, an employee of an agency, a local government attorney, or a candidate for nomination or election may not shall~~ solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer, employee, local government attorney, or candidate would be influenced thereby.

(b) A public officer, an employee of an agency, a local government attorney, or a candidate for nomination or election found to have violated this subsection by soliciting or accepting anything of value from a person or an entity representing or acting on behalf of a designated foreign terrorist organization or foreign country of concern or any of its subdivisions must, in addition to any criminal or civil penalty involved, repay double the value of any pecuniary benefit received as a result of the violation committed.

Section 3. Paragraph (e) of subsection (2) of section 112.3142, Florida Statutes, is amended to read:

112.3142 Ethics training for specified constitutional officers, elected municipal officers, commissioners of community redevelopment agencies, and elected local officers of independent special districts.—

(2)

(e) The commission shall adopt rules establishing minimum course content for the portion of an ethics training class which addresses s. 8, Art. II of the State Constitution and the Code of Ethics for Public Officers and Employees. By November 1, 2026, the commission shall adopt revised rules to supplement the minimum course content, including all of the following:

1. Known efforts by foreign countries of concern to target and influence subnational governments, including, but not limited to, the Chinese Communist Party's United Front strategy.

2. How to identify, recognize, and report suspected foreign influence campaigns.

3. Enhanced penalties for violations relating to gifts from foreign countries of concern as defined in s. 286.101(1) or designated foreign terrorist organizations as defined in s. 775.32(1) under s. 112.313(2)(b).

Section 4. Section 205.0532, Florida Statutes, is amended to read:

205.0532 Revocation or refusal to renew; doing business with Cuba.—

~~(1) Any appropriate tax collector or local governing authority issuing a business tax receipt to any individual, business, or entity under this chapter may revoke or refuse to renew such receipt if the individual, business, or entity, or parent company of such individual, business, or entity, is doing business with Cuba in violation of federal law.~~

(2) Any appropriate tax collector or local governing authority may request a sworn affidavit or declaration from any individual, business, or entity attesting to whether the individual, business, or entity is doing business with Cuba in violation of federal law.

(3) A person who knowingly makes a false declaration under subsection (2) commits the crime of perjury by false written declaration, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 5. Paragraph (a) of subsection (3) of section 288.816, Florida Statutes, is amended, and subsection (7) is added to that section, to read:

288.816 Intergovernmental relations.—

(3) The state protocol officer may:

(a) Coordinate and carry out activities designed to encourage the state and its subdivisions to participate in sister city and sister state affiliations with foreign countries and their subdivisions. Such activities may include a State of Florida sister cities conference. Such activities may not include encouragement of any affiliations with foreign countries of concern as defined in s. 288.860(1) or their subdivisions.

(7) The department shall publish on its website, to be updated quarterly, the following information:

(a) A current and accurate list of all foreign consulate offices.

(b) A current and accurate list of all sister city and sister state affiliations, including a copy of all such agreements.

Section 6. Subsections (3), (4), and (5) of section 288.8175, Florida Statutes, are amended, and a new subsection (7) is added to that section, to read:

288.8175 Linkage institutes between postsecondary institutions in this state and foreign countries.—

(3) Each institute must be co-administered in this state by a university-community college partnership, ~~as designated in subsection (5)~~, and must have a private sector and public sector advisory committee. The advisory committee must be representative of the international education and commercial interests of the state and may have members who are native to the foreign country partner. Six members must be appointed by the Department of Education. The Department of Education must appoint at least one member who is an international educator. The presidents, or their designees, of the participating university and community college must also serve on the advisory committee.

(4) The institutes are:

(a) Florida-Brazil Institute (University of Florida and Miami Dade College).

(b) Florida-Costa Rica Institute (Florida State University and Valencia College).

(c) Florida Caribbean Institute (Florida International University and Daytona State College).

(d) Florida-Canada Institute (University of Central Florida and Palm Beach State College).

~~(e) Florida-China Institute (University of West Florida, University of South Florida, and Eastern Florida State College).~~

~~(e)(f)~~ Florida-Japan Institute (University of South Florida, University of West Florida, and St. Petersburg College).

~~(f)(g)~~ Florida-France Institute (New College of the University of South Florida, Miami Dade College, and Florida State University).

~~(g)(h)~~ Florida-Israel Institute (Florida Atlantic University and Broward College).

~~(h)(i)~~ Florida-West Africa Institute (Florida Agricultural and Mechanical University, University of North Florida, and Florida State College at Jacksonville).

~~(i)(j)~~ Florida-Eastern Europe Institute (University of Central Florida and Lake-Sumter State College).

~~(j)(k)~~ Florida-Mexico Institute (Florida International University and Polk State College).

~~(5) Each institute is allowed to exempt from s. 1009.21 up to 25 full-time equivalent students per year from the respective host countries to study in any of the state universities or community colleges in this state as resident students for tuition purposes. The institute directors shall develop criteria, to be approved by the Department of Education, for the selection of these students. Students must return home within 3 years after their tenure of graduate or undergraduate study for a length of time equal to their exemption period.~~

(7) A linkage institute may not enter into any agreement or participate in any activities with a foreign country of concern as defined in s. 288.860(1) or any organization in a foreign country of concern.

Section 7. Present subsection (4) of section 288.854, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

288.854 Support for a free and independent Cuba.—

(4)(a) If the Federal Government changes the diplomatic status of Cuba, the Governor may, by executive order, suspend the provisions of any statute or rule restricting interactions with Cuba for a period not to exceed adjournment sine die of the regular session of the Legislature after such suspension. A suspension expires upon adjournment sine die of such regular session of the Legislature. A suspension may not be renewed or extended.

(b) If the Governor suspends a statute or rule under paragraph (a), he or she may not subsequently suspend the same statute or rule relating to Cuba unless expressly authorized by the Legislature.

(c) At least 30 days before the next regular session of the Legislature following a change in Cuba's diplomatic status by the Federal Government, the Governor shall submit to the President of the Senate and the Speaker of the House of Representatives written recommendations for policy changes, if any, that should be considered by the Legislature concerning Cuba. However, if the change in Cuba's diplomatic status occurs within 30 days before the convening of the next regular session of the Legislature or during the regular session of the Legislature, the Governor must submit such recommendations as soon as practicable.

(d) This subsection is repealed October 2, 2028, unless saved from repeal through reenactment by the Legislature.

Section 8. Subsection (2) of section 288.860, Florida Statutes, is amended to read:

288.860 International cultural agreements.—

~~(2)(a)~~ A state agency, political subdivision, or public school authorized to expend state-appropriated funds or levy ad valorem taxes may not participate in any agreement with or accept any grant from a foreign country of concern or its subdivisions, or any entity controlled by a foreign country of concern.

~~(b)~~ All agreements under paragraph (a), including, but not limited to, sister city agreements, are terminated as of July 1, 2026, which:

~~(a)~~—Constrains the freedom of contract of such public entity;

~~(b)~~—Allows the curriculum or values of a program in the state to be directed or controlled by the foreign country of concern; or

~~(c)~~—Promotes an agenda detrimental to the safety or security of the United States or its residents. Before the execution of any cultural exchange agreement with a foreign country of concern, the substance of the agreement must be shared with federal agencies concerned with protecting national security or enforcing trade sanctions, embargoes, or other restrictions under federal law. If such federal agency provides information suggesting that such agreement promotes an agenda detrimental to the safety or security of the United States or its residents, the public entity may not enter into the agreement.

Section 9. Subsection (1) of section 316.0078, Florida Statutes, is amended to read:

316.0078 Prohibition on contracting for camera systems of vendors of foreign countries of concern.—

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

(a) “Controlling interest” means possession of the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has 25 percent or more of the voting interests of a company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest. and

(b) “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 or any other entity of significant control of such foreign country of concern have the same meanings as in s. 287.138(1).

Section 10. Subsection (14) of section 496.404, Florida Statutes, is amended to read:

496.404 Definitions.—As used in ss. 496.401-496.424, the term:

(14) “Foreign source of concern” means any of the following:

(a) The government or any official of the government of a foreign country of concern;

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

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

(d) Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent citizen of the United States;

(e) An agent, including a subsidiary or an affiliate of a foreign legal entity, acting on behalf of a foreign source of concern; ~~or~~

(f) An entity in which a person, entity, or collection of persons or entities described in paragraphs (a)-(e) has a controlling interest. As used in this paragraph, the term “controlling interest” means the possession of the power to direct or cause the direction of the management or policies of an entity, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interest of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest; or

(g) A designated foreign terrorist organization as defined in s. 775.32 or an agent acting on behalf of a designated foreign terrorist organization.

Section 11. Subsection (3) of section 692.201, Florida Statutes, is amended to read:

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

(3) “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 or any other entity under ~~of~~ significant control of such foreign country of concern.

Section 12. Section 775.08255, Florida Statutes, is created to read:

775.08255 Offenses by foreign agents; reclassification.—

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

(a) “Agent of a foreign government or designated foreign terrorist organization” means a person acting on behalf of or otherwise employed

or controlled by a foreign government or a designated foreign terrorist organization.

(b) “Designated foreign terrorist organization” has the same meaning as provided in s. 775.32.

(c) “Foreign government” has the same meaning as provided in s. 286.101(1).

(2) The penalty for any misdemeanor or felony may be reclassified if the commission of such misdemeanor or felony was for the purpose of benefiting, promoting, or furthering the interests of a foreign government, a designated foreign terrorist organization, or an agent of a foreign government or designated foreign terrorist organization. The reclassification is as follows:

(a) A misdemeanor of the second degree is reclassified to a misdemeanor of the first degree.

(b) A misdemeanor of the first degree is reclassified to a felony of the third degree.

(c) A felony of the third degree is reclassified to a felony of the second degree.

(d) A felony of the second degree is reclassified to a felony of the first degree.

(e) A felony of the first degree is reclassified to a life felony.

(3) In addition to any other penalties prescribed by law, a person convicted of a felony of the first degree or a life felony under this section must be sentenced to a minimum term of imprisonment of 15 years.

Section 13. Paragraph (a) of subsection (7) of section 282.802, Florida Statutes, is amended to read:

282.802 Government Technology Modernization Council.—

(7)(a) The council shall meet at least quarterly to:

1. Recommend legislative and administrative actions that the Legislature and state agencies as defined in s. 282.318(2) may take to promote the development of data modernization in this state.

2. Assess and provide guidance on necessary legislative reforms and the creation of a state code of ethics for artificial intelligence systems in state government.

3. Assess the effect of automated decision systems or identity management on constitutional and other legal rights, duties, and privileges of residents of this state.

4. Evaluate common standards for artificial intelligence safety and security measures, including the benefits of requiring disclosure of the digital provenance for all images and audio created using generative artificial intelligence as a means of revealing the origin and edit of the image or audio, as well as the best methods for such disclosure.

5. Assess the manner in which governmental entities and the private sector are using artificial intelligence with a focus on opportunity areas for deployments in systems across this state.

6. Determine the manner in which artificial intelligence is being exploited by bad actors, including foreign countries of concern as defined in s. 286.101(1) ~~s. 287.138(1)~~.

7. Evaluate the need for curriculum to prepare school-age audiences with the digital media and visual literacy skills needed to navigate the digital information landscape.

Section 14. Subsection (2) of section 63.213, Florida Statutes, is amended to read:

63.213 Preplanned adoption agreement.—

(2)(a) A preplanned adoption agreement is prohibited if:

1. The volunteer mother is a citizen or resident of a foreign country of concern as defined in s. 286.101(1).

2. Either the intended father or intended mother is a citizen or resident of a foreign country of concern as defined in s. 286.101(1).

(b) A preplanned adoption agreement must include, but need not be limited to, the following terms:

1.(a) That the volunteer mother agrees to become pregnant by the fertility technique specified in the agreement, to bear the child, and to terminate any parental rights and responsibilities to the child she might have through a written consent executed at the same time as the preplanned adoption agreement, subject to a right of rescission by the volunteer mother any time within 48 hours after the birth of the child, if the volunteer mother is genetically related to the child.

2.(b) That the volunteer mother agrees to submit to reasonable medical evaluation and treatment and to adhere to reasonable medical instructions about her prenatal health.

3.(e) That the volunteer mother acknowledges that she is aware that she will assume parental rights and responsibilities for the child born to her as otherwise provided by law for a mother if the intended father and intended mother terminate the agreement before final transfer of custody is completed, if a court determines that a parent clearly specified by the

preplanned adoption agreement to be the biological parent is not the biological parent, or if the preplanned adoption is not approved by the court pursuant to the Florida Adoption Act.

4.(d) That an intended father who is also the biological father acknowledges that he is aware that he will assume parental rights and responsibilities for the child as otherwise provided by law for a father if the agreement is terminated for any reason by any party before final transfer of custody is completed or if the planned adoption is not approved by the court pursuant to the Florida Adoption Act.

5.(e) That the intended father and intended mother acknowledge that they may not receive custody or the parental rights under the agreement if the volunteer mother terminates the agreement or if the volunteer mother rescinds her consent to place her child for adoption within 48 hours after the birth of the child, if the volunteer mother is genetically related to the child.

6.(f) That the intended father and intended mother may agree to pay all reasonable legal, medical, psychological, or psychiatric expenses of the volunteer mother related to the preplanned adoption arrangement and may agree to pay the reasonable living expenses and wages lost due to the pregnancy and birth of the volunteer mother and reasonable compensation for inconvenience, discomfort, and medical risk. No other compensation, whether in cash or in kind, shall be made pursuant to a preplanned adoption arrangement.

7.(g) That the intended father and intended mother agree to accept custody of and to assert full parental rights and responsibilities for the child immediately upon the child's birth, regardless of any impairment to the child.

8.(h) That the intended father and intended mother shall have the right to specify the blood and tissue typing tests to be performed if the agreement specifies that at least one of them is intended to be the biological parent of the child.

9.(i) That the agreement may be terminated at any time by any of the parties.

Section 15. Subsection (1) of section 742.15, Florida Statutes, is amended to read:

742.15 Gestational surrogacy contract.—

(1)(a) Before ~~Prior to~~ engaging in gestational surrogacy, a binding and enforceable gestational surrogacy contract shall be made between the commissioning couple and the gestational surrogate. A contract for gestational surrogacy is ~~shall~~ not be binding and enforceable unless the gestational surrogate is 18 years of age or older and the commissioning couple are legally married and are both 18 years of age or older.

(b)1. A gestational surrogacy contract may not be entered into in this state if any party to the contract is a citizen or resident of a foreign country of concern as defined in s. 286.101(1).

2. A gestational surrogacy contract executed in violation of this paragraph is void and unenforceable as against the public policy of the state.

Section 16. This act shall take effect July 1, 2026.

Approved by the Governor May 8, 2026.

Filed in Office Secretary of State May 8, 2026.