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26 submit a report to the Governor and the Legislature;
 27 providing requirements for the report; requiring the
 28 Board of Governors and the State Board of Education to
 29 adopt regulations and rules, respectively; amending s.
 30 286.101, F.S.; revising and defining terms;
 31 prohibiting a state university or state college from
 32 soliciting or accepting a gift from a foreign country
 33 of concern; requiring the Board of Governors and the
 34 State Board of Education to adopt regulations and
 35 rules, respectively; providing an effective date.
 36

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

38 Section 1. Section 288.860, Florida Statutes, is amended
 39 to read:

40 288.860 International cultural agreements.—

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

42 (a) "Foreign country of concern" means the People's
 43 Republic of China, the Russian Federation, the Islamic Republic
 44 of Iran, the Democratic People's Republic of Korea, the Republic
 45 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian
 46 Arab Republic, including any agency of or any other entity under
 47 significant control of such foreign country of concern.

48 (b) "Partnership" means a faculty or student exchange
 49 program, a study abroad program, an articulation program, a
 50 recruiting program, or a dual degree program.

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51 (c) "Political subdivision" has the same meaning as in s.
 52 1.01(8) and includes any entity under the control of or
 53 established for the benefit of the political subdivision.

54 (d)~~(e)~~ "Public school" means any education institution
 55 under the supervision of a school district and any entity under
 56 the control of or established for the benefit of a public school
 57 or school district.

58 (e)~~(d)~~ "State agency" means any agency or unit of state
 59 government created or established by law and any entity under
 60 the control of or established for the benefit of a state agency.

61 (f)~~(e)~~ "State college" means any postsecondary education
 62 institution under the supervision of the State Board of
 63 Education, including any entity under the control of or
 64 established for the benefit of a state college.

65 (g)~~(f)~~ "State university" means any state university under
 66 the supervision of the Board of Governors, including any entity
 67 under the control of or established for the benefit of a state
 68 university.

69 (2) A state agency, political subdivision, or public
 70 school,~~state college, or state university~~ authorized to expend
 71 state-appropriated funds or levy ad valorem taxes may not
 72 participate in any agreement with or accept any grant from a
 73 foreign country of concern, or any entity controlled by a
 74 foreign country of concern, which:

75 (a) Constrains the freedom of contract of such public

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76 entity;

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

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

91 (3) (a) For the purposes of this subsection only, the term
92 "agreement" means a written statement of mutual interest in
93 academic or research collaboration.

94 (b) Beginning July 1, 2023, a state university or state
95 college authorized to expend state-appropriated funds may not
96 accept any grant from or participate in any agreement or
97 partnership with any college, university, or entity that is
98 based in or controlled by a foreign country of concern, except
99 as specified in paragraphs (c) and (d).

100 (c) A state university may, upon approval by the Board of

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101 Governors, enter into an agreement with a foreign country of
 102 concern or an entity located in or controlled by a foreign
 103 country of concern if such agreement is deemed by the board to
 104 be valuable to students and the state university and is not
 105 detrimental to the safety or security of the United States or
 106 its residents. An agreement approved under this subsection must
 107 meet the other relevant requirements of s. 288.860.

108 1. Beginning July 1, 2023, the board shall exercise the
 109 authority provided pursuant to s. 1008.322 to sanction a state
 110 university pursuant to subparagraph 2. which enters into a
 111 partnership or agreement with a foreign country of concern or an
 112 entity that is located in or controlled by a foreign country of
 113 concern without approval from the board.

114 2. The board may withhold additional performance funding
 115 for a state university that enters into an agreement with a
 116 foreign country of concern or an entity that is located in or
 117 controlled by a foreign country of concern without approval from
 118 the board. The funds must be deposited into the General Revenue
 119 Fund. The board may administratively enforce this section.

120 (d) A state college may, upon approval by the State Board
 121 of Education, enter into an agreement with a foreign country of
 122 concern or an entity located in or controlled by a foreign
 123 country of concern if such agreement is deemed by the state
 124 board to be valuable to students and the state college and is
 125 not detrimental to the safety or security of the United States

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126 or its residents. An agreement approved under this subsection
 127 must meet the requirements of s. 288.860.

128 1. Beginning July 1, 2023, the state board shall exercise
 129 the authority provided pursuant to s. 1008.32 to sanction a
 130 state college pursuant to subparagraph 2. which enters into a
 131 partnership or agreement with a foreign country of concern or an
 132 entity that is located in or controlled by a foreign country of
 133 concern without approval from the state board.

134 2. The state board may withhold additional performance
 135 funding for a state college that enters into an agreement with a
 136 foreign country of concern or an entity that is located in or
 137 controlled by a foreign country of concern without approval from
 138 the state board. The funds must be deposited into the General
 139 Revenue Fund. The state board may administratively enforce this
 140 section.

141 (e) Each state university and state college shall submit
 142 the information required in paragraph (f) to the Board of
 143 Governors and the Department of Education, respectively, by July
 144 1 of each year.

145 (f) By August 1, 2024, and each August 1 thereafter, the
 146 Board of Governors and the Department of Education,
 147 respectively, shall submit a report to the Governor, the
 148 President of the Senate, and the Speaker of the House of
 149 Representatives relating to agreements of state universities and
 150 state colleges, respectively, with foreign entities. At a

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151 minimum, the report must include the following information for
 152 the previous fiscal year:

153 1. Data reflecting any grant program, agreement,
 154 partnership, or contract between a state university or state
 155 college and any university, college, or entity that is based in
 156 or controlled by a foreign country.

157 2. Data reflecting any office, campus, or physical
 158 location used or maintained by a state university or state
 159 college in a foreign country.

160 3. The date on which any such grant program, agreement,
 161 partnership, or contract reported pursuant to subparagraph 1. is
 162 expected to terminate.

163 (g) The Board of Governors and the State Board of
 164 Education shall adopt regulations and rules, respectively, to
 165 administer this subsection.

166 (4)-(3) A state agency, political subdivision, public
 167 school, state college, or state university may not accept
 168 anything of value conditioned upon participation in a program or
 169 other endeavor to promote the language or culture of a foreign
 170 country of concern.

171 (5)-(4) For the 2022-2023 fiscal year, notwithstanding
 172 subsection (2), a state agency, political subdivision, public
 173 school, state college, or state university may not enter into
 174 any agreement with or accept any grant from the Russian
 175 Federation. This subsection expires July 1, 2023.

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176 Section 2. Paragraph (h) of subsection (1) of section
 177 286.101, Florida Statutes, is amended, paragraphs (i) and (j)
 178 are added to that subsection, and subsection (10) is added to
 179 that section, to read:

180 286.101 Foreign gifts and contracts.—

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

182 (h) "State agency" means any agency or unit of state
 183 government created or established by law. For the purposes of
 184 this section only, the term does not include a state university
 185 or a state college.

186 (i) "State college" means any postsecondary education
 187 institution under the supervision of the State Board of
 188 Education, including any entity under the control of or
 189 established for the benefit of a state college.

190 (j) "State university" means any state university under
 191 the supervision of the Board of Governors, including any entity
 192 under the control of or established for the benefit of a state
 193 university.

194 (10) (a) A state university or state college, or any
 195 employee or representative of a state university or state
 196 college, may not solicit or accept any gift, including any
 197 physical object, loan, reward, promise of future employment,
 198 favor, or service, from:

199 1. A foreign country of concern or an entity that is
 200 located in or controlled by a foreign country of concern; or

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201 2. A person associated with or employed by a foreign
202 country of concern or an entity that is located in or controlled
203 by a foreign country of concern.

204 (b) The Board of Governors and the State Board of
205 Education shall adopt regulations and rules, respectively, to
206 administer this subsection.

207 Section 3. This act shall take effect July 1, 2023.