

## **New Prohibitions on Government Dealing with Select Foreign Entities and Land Development**

[Senate Bill 264](#) creates section 287.138, Florida Statutes, which prohibits a local government entity from entering into a contract with a private or government entity associated with a foreign government of concern. The bill also prohibits members of these foreign governments from select property interests in the State of Florida. These governments of concern include 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 Nicolas Maduro, and the Syrian Arab Republic. Any local government entity that violates this provision may be subject to civil action by the Attorney General.

Foreign principals are prohibited from owning or having a controlling interest in agricultural land. Foreign principals that already had such an interest must register with the Florida Department of Agriculture and Consumer Services (FDACS). A buyer of agricultural land must provide an affidavit attesting that the buyer is not a foreign principal. Violations might render the property subject to forfeiture to the state. Persons who sell this interest knowingly may be subject to a second degree misdemeanor. Foreign principals are also prohibited from owning or controlling real property within 10 miles of any military installation or critical infrastructure facility in the state. Affidavits must be signed and penalties enforced. Foreign principals related to the Chinese Communist Party or any such person domiciled in China and not a permanent resident of the United States are prohibited from owning any interest in real property. Failing to secure an affidavit providing otherwise does not affect the marketability of title.

SB 264 was signed into law on May 8, 2023 and took effect July 1, 2023.