

Alert | Florida Government Law & Policy



September 2022

Florida Gov. DeSantis Issues Executive Order to Strengthen State Cybersecurity Against Foreign Adversaries

On Sept. 22, 2022, Florida Governor Ron DeSantis signed [Executive Order 22-216](#), which prohibits state and local government entities from procuring technology products and services from companies owned, controlled, or domiciled in foreign countries of concern.

Under the executive order, the Florida Department of Management Services (DMS), through the Florida Digital Service, is required to promulgate rules and take any additional action necessary to ensure commodities and services used by state and local governments are not susceptible to exploitation by foreign countries of concern.

The foreign countries of concern pursuant to Florida Statute 286.101 are 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, or the Syrian Arab Republic.

The executive order states that the rules must include but are not limited to:

- Preventing governmental entities in Florida from procuring or utilizing any information or communications technologies or services, components, networks, or systems that DMS has determined – after review of relevant materials, including but not limited to documentation prepared by any governmental agency, cybersecurity firm, or expert – to pose an undue or unacceptable risk to the safety and security of Florida, including because of their connection with or use by foreign countries of concern; and

- Preventing governmental entities in Florida from procuring or utilizing any information or communications technologies or services, components, networks, or systems in similar use cases where a federal agency has prohibited, restricted the transactions or licensing of, or otherwise limited such information or communications technologies or services, components, networks, or systems because of national security concerns; and
- Preventing governmental entities in Florida from procuring or utilizing any information or communications technologies or services, components, networks, or systems that are designed, developed, manufactured, or supplied by companies or affiliates determined by any federal or state governmental agency to be owned, controlled by, or domiciled in a foreign country of concern, as much as feasibly possible; and
- Preventing the exposure of governmental information and communications technologies and services, equipment, components, networks, and systems in Florida to others that are determined by any federal or state governmental agency to be owned by, controlled by, or domiciled in a foreign country of concern, as much as feasibly possible.

Governor DeSantis proposed legislation that would prohibit government entities from contracting with companies owned, controlled, or domiciled in foreign countries of concern if the contract would provide access to Floridians' personal information. The prohibition would include the bidding, submitting a proposal for, or entering into or renewing a contract with a government entity if the contract would provide the company with access to an individual's name in combination with a Social Security number, driver's license, financial account numbers, medical history, insurance policy numbers, and other personal identification information.

Additionally, Governor DeSantis proposed legislative action to prohibit purchases of agricultural land and land surrounding military bases by foreign countries of concern. Furthermore, the Governor proposed additional legislation that would prohibit any financial foreign donation to state education institutions. Current law, which the Governor signed last year, prohibits donations in excess of \$50,000.

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