Shumaker

NOVEMBER 4, 2024 | PUBLICATION

Client Alert: Two Florida Statutes That May Be Applicable to Your Business When Executing or Renewing a Contract with a Government Official

RELATED PROFESSIONALS

Andrew J. Mayts, Jr.
Steven E. Nicholas

MEDIA CONTACT

Wendy M. Byrne
wbyrne@shumaker.com

Download Client Alert: Two Florida Statutes That May Be Applicable to Your Business When Executing or Renewing a Contract with a Government Official

Government entities are subject to strict regulation and reporting requirements when contracting with vendors. Florida statutes often require affidavits from vendors as a condition precedent to contracting with government entities. Two such affidavit requirements regard foreign countries of concern and human trafficking or coercion for labor or services.

Contracting with entities of foreign countries of concern prohibited

Section 287.138, Florida Statutes, is entitled "Contracting with entities of foreign countries of concern prohibited." This statute prohibits any governmental entity, from contracting with entities of foreign countries of concern if the contract provides the vendor access to an individual's personal identifying information and:

(a) The entity is owned by the government of a foreign country of concern;

(b) The government of a foreign country of concern has a controlling interest in the entity; or

(c) The entity is organized under the laws of or has its principal place of business in a foreign country of concern.

The statute identifies foreign countries of concern as: 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.

Beginning July 1, 2024, this law requires that the governmental entity may not contract with a vendor which provides access to an individual's personal identifying information unless an officer or representative of the vendor provides the governmental entity with an affidavit attesting that the vendor does meet any of the criteria listed in paragraphs (a) to (c) above.

Beginning July 1, 2025, a government entity may not renew or extend a contract with an entity identified in paragraphs (a) to (c) above if the contract grants access to an individual's personal identifying information and the government entity must obtain an affidavit signed by an officer or representative of the contract-renewing vendor attesting that the entity is not as described in paragraphs (a) to (c) above.

Human Trafficking Affidavit of No Coercion for Labor or Services

Section 787.06(13), Florida Statutes, requires that any governmental entity, when executing, renewing, or extending a contract must obtain an affidavit from the nongovernmental contracting party attesting that it does not use coercion for labor or services. The terms "coercion" and "labor" are defined respectively in sections 787.06(2)(a)1-72 and 787.06(2)(e)3, Florida Statutes.

If you would like any additional information regarding these statutes or have any questions, please reach out to us.

© 2026 Shumaker, Loop & Kendrick, LLP. All Rights Reserved. Privacy Policy/Disclaimer

Shumaker