Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Information Technology
2 Budget & Policy Subcommittee
3 Representative McFarland offered the following:
4
5   **Amendment (with title amendment)**
6   Remove everything after the enacting clause and insert:
7   **Section 1. Section 501.9741, Florida Statutes, is created**
8 **to read:**
9   501.9741 Provenance data of digital content.—
10   (1) As used in this section, the term:
11   (a) "Generative artificial intelligence" has the same
12 meaning as in s. 106.145(1).
13   (b) "Generative artificial intelligence model" means an
14 artificial intelligence system designed to generate new data or
15 content based on the patterns or structures of its training

16 data. The term does not include capabilities primarily intended

17 for classifications, predictions, or labeling.

18   (c) "Generative artificial intelligence provider" means an

19 organization that develops a generative artificial intelligence

20 tool that is publicly available.

21   (d) "Generative artificial intelligence tool" means a

22 product or feature that provides the outputs from a generative

23 artificial intelligence model to end users.

24   (e) "Provenance application tool" means a tool or online

25 service that allows users to apply provenance data.

26   (f) "Provenance data" means information about the origin

27 of digital content and the history of modifications to such

28 content in a format that is compliant with widely adopted

29 guidelines or specifications promulgated by an established

30 standard-setting body. Provenance data must indicate whether

31 some or all of the content is synthetic content. If there is

32 synthetic content, the provenance data must identify the name of

33 the generative artificial intelligence provider whose generative

34 artificial intelligence tool generated the synthetic data.

35 Provenance data shall not include any personally identifying

36 information, unique device, system, or service information that

37 is reasonably capable of being associated with a particular

38 user, unless directed by the user.

39   (g) "Provenance reader" means a tool or service that

40 allows users to view the provenance data.

41   (h) "Social media platform" means an online forum,

42 website, or application which allows users to upload content or

43 view content or activity of other users. The term does not

44 include an online service, website, or application where the

45 exclusive function is e-mail or direct messaging consisting of

46 text, photographs, pictures, images, or videos shared only

47 between the sender and the recipients, without displaying or

48 posting publicly to other users not specifically identified as

49 the recipients by the sender.

50   (i) "Synthetic content" means any visual or audio content

51 that has been produced or modified by a generative artificial

52 intelligence tool.

53   (2) A generative artificial intelligence provider shall:

54   (a) Make available a provenance application tool that

55 enables the user to apply provenance data, either directly or

56 through the use of third-party technology, to content that has

57 been generated or modified to include synthetic content; or

58   (b) Apply provenance data to content, either directly or

59 through the use of third-party technology, to content that has

60 been generated or modified to include synthetic content.

61   (3) A generative artificial intelligence provider shall

62 make available for free to the public, either directly or

63 through the use of third-party technology, a provenance reader.

64   (4) A social media platform must retain all available

65 provenance data of content uploaded to or posted on such

561101 - h0369.strike.docx

66 platform, and make it available in a readable format to the

67 users of the platform directly, through a conspicuous indicator

68 that allows a user to access the provenance data, or both. This

69 requirement does not apply in cases of the user's removal of

70 provenance data.

71   (5) A violation of this section constitutes an unfair or

72 deceptive act or practice as specified in s. 501.204 and shall

73 be exclusively enforced in a civil action by the Attorney

74 General. The Department of Legal Affairs must notify the

75 generative artificial intelligence provider or the social media

76 platform of any suspected violation, and allow the provider or

77 platform 30 calendar days to cure the alleged violation before

78 initiating enforcement action. This section does not create a

79 private right of action.

80   **Section 2.** This act shall take effect July 1, 2026.

81

82   ---

83   **T I T L E   A M E N D M E N T**

84   Remove everything before the enacting clause and insert:

85   An act relating to provenance of digital content;

86   creating s. 501.9741, F.S.; providing definitions;

87   requiring provenance data be included with certain

88   data; requiring providers of certain artificial

89   intelligence tools to make available application tools

90   and provenance readers; requiring certain social media

91   platforms retain and make available certain provenance
92   data; providing that a violation constitutes an unfair
93   or deceptive act or practice; providing an effective
94   date.
95