

Amendment No. 1

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WITHDRAWN (Y/N)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: Commerce Committee
2 Representative McFarland offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 27-97 and insert:

6 (c) "Generative artificial intelligence developer" means
7 an organization that develops a generative artificial
8 intelligence tool that is publicly available.

9 (d) "Generative artificial intelligence tool" means a
10 product or feature that provides the outputs from a generative
11 artificial intelligence model to end users.

12 (e) "Provenance application tool" means a tool or online
13 service that allows users to apply provenance data.

14 (f) "Provenance data" means information about the origin
15 of digital content and the history of modifications to such
16 content in a format that is compliant with widely adopted

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17 guidelines or specifications promulgated by an established
18 standard-setting body. Provenance data must indicate whether
19 some or all of the content is synthetic content. If there is
20 synthetic content, the provenance data must identify the name of
21 the generative artificial intelligence developer whose
22 generative artificial intelligence tool generated the synthetic
23 data. Provenance data shall not include any personally
24 identifying information or unique device, system, or service
25 information that is reasonably capable of being associated with
26 a particular user, unless directed by the user.

27 (g) "Provenance reader" means a tool or service that
28 allows users to view provenance data.

29 (h) "Social media platform" means an online forum,
30 website, or application that allows users to upload content or
31 view content or activity of other users. The term does not
32 include:

33 1. An online service, website, or application where the
34 exclusive function is e-mail or direct messaging consisting of
35 text, photographs, pictures, images, or videos shared only
36 between the sender and the recipients, without displaying or
37 posting publicly to other users not specifically identified as
38 the recipients by the sender; or

39 2. An online service, website, or application that
40 consists primarily of news, sports, entertainment, or other
41 information or content that is preselected by the provider, and

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42 for which any chat, comments, or interactive functionality is
43 incidental to, directly related to, or dependent on the
44 provision of the content; or,

45 3. An online service, application, or website that is used
46 for providing or obtaining technical support.

47 (i) "Synthetic content" means any visual content that has
48 been produced or modified by a generative artificial
49 intelligence tool.

50 (2) A generative artificial intelligence developer shall:

51 (a) Make available a provenance application tool that
52 enables the user to apply provenance data, either directly or
53 through the use of third-party technology, to content that has
54 been generated or modified to include synthetic content when
55 such content is generated or modified using the developer's
56 generative artificial intelligence tool; or

57 (b) Apply provenance data, in a manner that is technically
58 feasible and reasonable, given the accepted state of the art, as
59 reflected in commonly used industry standards, either directly
60 or through the use of third-party technology, to content that
61 has been generated or modified to include synthetic content.

62 (3) A generative artificial intelligence developer subject
63 to the requirements of subsection (2) shall also make available
64 to the public for free, either directly or through the use of
65 third-party technology, a provenance reader.

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66 (4) A social media platform must retain all available
67 provenance data of content uploaded to or posted on such
68 platform, and make available to the users of the platform such
69 provenance data in a readable format directly or through a
70 conspicuous indicator that allows a user to access the
71 provenance data or both. This requirement does not apply in
72 cases of the user's removal of provenance data.

73 (5) A violation of this section constitutes an unfair or
74 deceptive act or practice as specified in s. 501.204 and shall
75 be exclusively enforced in a civil action by the Attorney
76 General. The Department of Legal Affairs must notify the
77 generative artificial intelligence developer or the social media
78 platform of any suspected violation and allow the developer or
79 platform 30 calendar days to cure the alleged violation before
80 initiating enforcement action. This section does not create a
81 private right of action.

82 (6) This section does not apply to any product, service,
83 internet website, or application that exclusively provides video
84 game experiences.

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

88 Remove lines 4-11 and insert:
89 requiring certain artificial intelligence developers
90 to make provenance data available through specified

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91 options; requiring such developers to make provenance
92 readers available in a specified manner; requiring
93 certain social media platforms to retain and make
94 available certain provenance data; providing
95 applicability; providing that a violation constitutes
96 an unfair or deceptive act or practice; providing
97 exclusions; providing an