

1 A bill to be entitled
 2 An act relating to provenance of digital content;
 3 creating s. 501.9741, F.S.; providing definitions;
 4 requiring certain artificial intelligence developers
 5 to make provenance data available through specified
 6 options; requiring such developers to make provenance
 7 readers available in a specified manner; requiring
 8 certain social media platforms to retain and make
 9 available certain provenance data; providing
 10 applicability; providing that a violation constitutes
 11 an unfair or deceptive act or practice; providing an
 12 exception; providing an effective date.

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 14 Be It Enacted by the Legislature of the State of Florida:

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 16 **Section 1. Section 501.9741, Florida Statutes, is created**
 17 **to read:**

18 501.9741 Provenance data of digital content.—

19 (1) As used in this section, the term:

20 (a) "Generative artificial intelligence" has the same
 21 meaning as in s. 106.145(1).

22 (b) "Generative artificial intelligence developer" means
 23 an organization that develops a generative artificial
 24 intelligence tool that is publicly available.

25 (c) "Generative artificial intelligence model" means an

26 artificial intelligence system designed to generate new data or
27 content based on the patterns or structures of its training
28 data. The term does not include capabilities primarily intended
29 for classifications, predictions, or labeling.

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

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

35 (f) "Provenance data" means information about the origin
36 of digital content and the history of modifications to such
37 content in a format that is compliant with widely adopted
38 guidelines or specifications promulgated by an established
39 standard-setting body. Provenance data must indicate whether
40 some or all of the content is synthetic content. If there is
41 synthetic content, the provenance data must identify the name of
42 the generative artificial intelligence developer whose
43 generative artificial intelligence tool generated the synthetic
44 data. Provenance data shall not include any personally
45 identifying information or unique device, system, or service
46 information that is reasonably capable of being associated with
47 a particular user, unless directed by the user.

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

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

51 website, or application that allows users to upload content or
52 view content or activity of other users. The term does not
53 include:

54 1. An online service, website, or application where the
55 exclusive function is e-mail or direct messaging consisting of
56 text, photographs, pictures, images, or videos shared only
57 between the sender and the recipients, without displaying or
58 posting publicly to other users not specifically identified as
59 the recipients by the sender;

60 2. An online service, website, or application, that
61 consists primarily of news, sports, entertainment, or other
62 information or content that is preselected by the provider, and
63 for which any chat, comments, or interactive functionality is
64 incidental to, directly related to, or dependent on the
65 provision of the content; or

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

68 (i) "Synthetic content" means any visual content that has
69 been produced or modified by a generative artificial
70 intelligence tool.

71 (2) A generative artificial intelligence developer shall:

72 (a) Make available a provenance application tool that
73 enables the user to apply provenance data, either directly or
74 through the use of third-party technology, to content that has
75 been generated or modified to include synthetic content when

76 such content is generated or modified using the developer's
77 generative artificial intelligence tool; or

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

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

87 (4) A social media platform must retain all available
88 provenance data of content uploaded to or posted on such
89 platform, and make available to the users of the platform such
90 provenance data in a readable format directly or through a
91 conspicuous indicator that allows a user to access the
92 provenance data or both. This requirement does not apply in
93 cases of the user's removal of provenance data.

94 (5) A violation of this section constitutes an unfair or
95 deceptive act or practice as specified in s. 501.204 and shall
96 be exclusively enforced in a civil action by the Attorney
97 General. The Department of Legal Affairs must notify the
98 generative artificial intelligence developer or the social media
99 platform of any suspected violation and allow the developer or
100 platform 30 calendar days to cure the alleged violation before

101 initiating enforcement action. This section does not create a
102 private right of action.

103 (6) This section does not apply to any product, service,
104 website, or application that exclusively provides video game
105 experiences.

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