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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/10/2025	.	
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The Committee on Commerce and Tourism (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present subsection (4) of section 106.145,
Florida Statutes, is redesignated as subsection (5), a new
subsection (4) is added to that section, and subsection (1) and
paragraph (a) of present subsection (4) are amended, to read:

106.145 Use of artificial intelligence.—

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



196458

11 (a) "Generative artificial intelligence" means a machine-
12 based system that can, for a given set of human-defined
13 objectives, emulate the structure and characteristics of input
14 data in order to generate derived synthetic content including
15 images, videos, audio, text, and other digital content.

16 (b) "Provenance data" means information identifying whether
17 some or all of the content has been derived through generative
18 artificial intelligence and, if so, the name of the generative
19 artificial intelligence tool used to generate such content and
20 the organization that developed such tool.

21 (4) Any content purporting to feature an electoral
22 candidate which can be viewed, heard, or accessed online must
23 include digital provenance data if such content was created by
24 generative artificial intelligence, as defined in s. 106.145(1).

25 (5) ~~(4)~~ (a) In addition to any civil penalties provided by
26 law, a person identified pursuant to another disclaimer required
27 under this chapter as paying for, sponsoring, or approving a
28 political advertisement, an electioneering communication, or an
29 other miscellaneous advertisement of a political nature which is
30 required to contain the disclaimer prescribed under subsection
31 (2) in this section and who fails to include the required
32 disclaimer commits a misdemeanor of the first degree, punishable
33 as provided in s. 775.082 or s. 775.083.

34 Section 2. Section 252.353, Florida Statutes, is created to
35 read:

36 252.353 Digital content provenance pilot program.—

37 (1) There is established within the division a digital
38 content provenance pilot program. The purpose of the pilot
39 program is to enhance the security and authenticity of digital



196458

content used in emergency management operations through the inclusion of provenance data.

(2) For all digital images and videos created by the division on or after July 1, 2025, the division shall include a conspicuous indicator with an encoded link allowing a user to access provenance data.

(3) By November 15, 2026, the division shall submit to the President of the Senate and the Speaker of the House of Representatives a report that includes information concerning the pilot program, including whether the integration of provenance data can be scaled effectively within the division's digital content library and recommendations for other valuable uses of provenance data and credentialing that could be implemented within other agencies.

(4) This section shall stand repealed on June 30, 2027.

Section 3. Section 501.9741, Florida Statutes, is created to read:

501.9741 Provenance data of digital content.—

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

(a) "Application tool" means a tool or service that enables the user to apply provenance data, either directly or through the use of third-party technology, to any digital content that has been modified to include synthetic content.

(b) "Capture device" means a device that can record any visual or audio digital content, including, but not limited to, a camera, a cellular phone with a camera, a microphone, or an audio or video recorder.

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



196458

(d) "Generative artificial intelligence tool" means a product or feature that uses generative artificial intelligence to create visual or audio digital content.

(e) "Provenance data" has the same meaning as in s. 106.145(1).

(f) "Provenance reader" means a tool or service that allows users to identify provenance data of visual or audio digital content.

(g) "Synthetic content" means any visual or audio content that has been produced or modified by a generative artificial intelligence tool.

(2) The provider of a generative artificial intelligence tool must apply provenance data, either directly or through the use of third-party technology, to synthetic content wholly generated by the provider's generative artificial intelligence tool.

(3) The provider of a generative artificial intelligence tool must make available to the public:

(a) An application tool that can determine whether an image, a video, or audio content, or content that is any combination thereof, is synthetic content.

(b) A free provenance reader that can view provenance information for synthetic content.

(4) Provenance data may not include any personal identifying information or any unique device, system, or service information which is reasonably capable of being associated with a particular user, unless directed by the user.

(5) A social media platform as defined in s. 501.2041 shall retain all available provenance data of any suspected synthetic



196458

content. Social media platforms shall make such data available to platform users through a conspicuous indicator with an encoded link on such content.

(6) A capture device sold in this state must have an option to record provenance data of any suspected synthetic content. The manufacturer of a capture device sold in this state must ensure that such provenance data can be read by third-party applications.

(7) A violation of this section constitutes an unfair or deceptive act or practice as described in s. 501.204. The Attorney General shall enforce this section. The Department of Legal Affairs shall notify the provider of the generative artificial intelligence system, the manufacturer of a capture device, or the social media platform of any suspected violation, and allow the provider 30 calendar days to cure the alleged violation before initiating enforcement action.

Section 4. This act shall take effect July 1, 2025.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to provenance of digital content;
amending s. 106.145, F.S.; defining the term
"provenance data"; requiring that certain content
created by generative artificial intelligence
purporting to depict an electoral candidate include
digital provenance data; amending s. 252.353, F.S.;



196458

creating a digital content provenance pilot program within the Division of Emergency Management; providing the pilot program's purpose; requiring the division to include a conspicuous indicator with an encoded link on the digital images and videos it creates after a specified date to allow users to access provenance data; requiring the division to submit an annual report to the Legislature by a specified date; specifying requirements for the report; providing for future repeal; creating s. 501.9741, F.S.; defining terms; requiring a provider of a generative artificial intelligence tool to apply provenance data, either directly or through a third-party technology, to synthetic content wholly generated by the provider's generative artificial intelligence tool; requiring a provider of a generative artificial intelligence tool to make available to the public specified tools and readers to determine whether certain content was created by the provider's generative artificial intelligence tool; prohibiting the inclusion of certain information in provenance data which is reasonably capable of being associated with a particular user, unless directed by the user; requiring social media platforms to retain provenance data of synthetic content provided to or posted on its platform; requiring social media platforms to make such data available to platform users through a conspicuous indicator on such content; requiring that a capture device sold in this state have an option to



196458

record provenance data of certain content; requiring
manufacturers of such capture devices to ensure
provenance data can be read by third-party
applications; providing that a violation of this
section is an unfair or deceptive act or practice;
requiring the Attorney General to enforce this
section; requiring the Department of Legal Affairs to
notify any person suspected of violating this section
and allow them to cure such violations within a
specified timeframe before initiating enforcement
action; providing an effective date.