



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2026	.	
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The Committee on Appropriations (Leek) recommended the following:

1 **Senate Substitute for Amendment (966452) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Present paragraphs (a) through (d) of subsection
7 (1) and present subsection (7) of section 287.138, Florida
8 Statutes, are redesignated as paragraphs (b) through (e) and
9 subsection (8), respectively, a new paragraph (a) is added to
10 subsection (1), a new subsection (7) is added to that section,



11 and subsection (3) of that section is amended, to read:

12 287.138 Contracting with entities of foreign countries of
13 concern prohibited.—

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

15 (a) "Artificial intelligence" means a machine-based system
16 that can, for a given set of human-defined objectives, make
17 predictions, recommendations, or decisions influencing real or
18 virtual environments.

19 (3) (a) Beginning July 1, 2025, a governmental entity may
20 not extend or renew a contract with an entity listed in
21 paragraphs (2) (a)-(c) if the contract would give such entity
22 access to an individual's personal identifying information.

23 Beginning July 1, 2026, a governmental entity may not extend or
24 renew a contract with an entity listed in paragraph (7) (a),
25 paragraph (7) (b), or paragraph (7) (c).

26 (b) Beginning July 1, 2026, a governmental entity may not
27 accept a bid on, a proposal for, or a reply to, or enter into a
28 contract with, an entity to provide artificial intelligence
29 technology, software, or products, including as a portion or an
30 option to the products or services provided under the contract,
31 unless the entity provides the governmental entity with an
32 affidavit signed by an officer or a representative of the entity
33 under penalty of perjury attesting that the entity does not meet
34 any of the criteria in paragraph (7) (a), paragraph (7) (b), or
35 paragraph (7) (c).

36 (7) A governmental entity may not knowingly enter into a
37 contract with an entity for artificial intelligence technology,
38 software, or products, including as a portion or an option to
39 the products or services provided under the contract, if:



40 (a) The entity is owned by the government of a foreign
41 country of concern;
42 (b) A government of a foreign country of concern has a
43 controlling interest in the entity; or
44 (c) The entity is organized under the laws of or has its
45 principal place of business in a foreign country of concern.

46 Section 2. The Division of Law Revision is directed to
47 create part IX of chapter 501, Florida Statutes, consisting of
48 ss. 501.9981, 501.9982, 501.9983, 501.9984, 501.9985, 501.9986,
49 and 501.9987, Florida Statutes, to be entitled the "Artificial
50 Intelligence Bill of Rights."

51 Section 3. Section 501.9981, Florida Statutes, is created
52 to read:

53 501.9981 Short title.—This part may be cited as the
54 "Artificial Intelligence Bill of Rights."

55 Section 4. Section 501.9982, Florida Statutes, is created
56 to read:

57 501.9982 Rights relating to the use of artificial
58 intelligence.—

59 (1) Residents are entitled to certain rights with respect
60 to the use of artificial intelligence, including, but not
61 limited to:

62 (a) The right to use artificial intelligence to improve
63 their own lives and the lives of family members, fellow
64 residents, and the world at large in accordance with the law.

65 (b) The right to supervise, access, limit, and control
66 their minor children's use of artificial intelligence.

67 (c) The right to know whether they are communicating with a
68 human being or an artificial intelligence system, program, or



69 chatbot.

70 (d) The right to know whether artificial intelligence
71 technology companies are collecting personal information or
72 biometric data, and the right to expect artificial intelligence
73 technology companies to protect and deidentify that information
74 or data in accordance with the law.

75 (e) The right to pursue civil remedies authorized by law
76 against persons who use artificial intelligence to appropriate
77 the name, image, or likeness of others for commercial purposes
78 without their consent.

79 (f) The right to be protected by law from criminal acts,
80 such as fraud, exploitation, identity theft, stalking, and
81 cyberbullying, regardless of whether artificial intelligence is
82 used in the commission of those acts.

83 (g) The right to be protected by law from criminal acts
84 relating to the alteration of existing images to create sexual
85 or lewd or lascivious images or child pornography, regardless of
86 whether artificial intelligence is used in the commission of
87 those acts.

88 (h) The right to know whether political advertisements,
89 electioneering communications, or similar advertisements were
90 created in whole or in part with the use of artificial
91 intelligence.

92 (i) The right to pursue civil remedies authorized by law
93 against others who use artificial intelligence to slander,
94 libel, or defame them.

95 (j) The right to prevent a companion chatbot from engaging
96 with a user as a character that is protected by federal
97 copyright law without the express written consent of the



98 copyright owner.

99 (k) The right to prevent a companion chatbot from engaging
100 with a user as a character that is a living individual without
101 the express written consent of that individual.

102 (l) The right to prevent generative artificial intelligence
103 from using a character that is protected by federal copyright
104 law without the express written consent of the copyright owner.

105 (2) Residents may exercise the rights described in this
106 section in accordance with existing law. This section may not be
107 construed as creating new or independent rights or entitlements.

108 Section 5. Section 501.9983, Florida Statutes, is created
109 to read:

110 501.9983 Definitions.—As used in this part, the term:

111 (1) "Account holder" means an individual who opens an
112 account or creates a profile or is identified by the companion
113 chatbot platform by a unique identifier while he or she is using
114 or accessing the platform, if the platform knows or has reason
115 to believe the individual is a resident of this state.

116 (2) "Artificial intelligence" means a machine-based system
117 that can, for a given set of human-defined objectives, make
118 predictions, recommendations, or decisions influencing real or
119 virtual environments.

120 (3) "Artificial intelligence technology company" means a
121 business or organization that produces, develops, creates,
122 designs, or manufactures artificial intelligence technology or
123 products, collects data for use in artificial intelligence
124 products, or implements artificial intelligence technology.

125 (4) "Bot" means an automated online software application in
126 which all or substantially all of the actions or posts of the



127 account are not the result of a natural person.

128 (5) "Companion chatbot" means an artificial intelligence
129 system with a natural language interface that provides adaptive,
130 human-like responses to user inputs and is capable of meeting a
131 user's social needs by retaining information on prior
132 interactions or user sessions and user preferences to
133 personalize the interaction and facilitate ongoing engagement,
134 asking unprompted or unsolicited emotion-based questions that go
135 beyond a direct response to a user prompt, and sustaining an
136 ongoing dialogue personalized to the user. The term does not
137 include:

138 (a) A chatbot used only for customer service; a business's
139 internal operational purposes, productivity and analysis; or
140 uses related to source information, internal research, or
141 technical assistance;

142 (b) A chatbot that is a feature of a video game or theme
143 park and is limited to replies related to the video game or
144 theme park experience and does not discuss topics related to
145 mental health, self-harm, or material harmful to minors or
146 maintain a dialogue on other topics unrelated to the video game
147 or theme park;

148 (c) A stand-alone consumer electronic device that functions
149 as a speaker and voice command interface, acts as a voice-
150 activated virtual assistant, and does not sustain a relationship
151 across multiple interactions or generate outputs likely to
152 elicit emotional responses in the user; or

153 (d) An artificial intelligence instructional tool, as
154 defined in s. 1006.1495.

155 (6) "Companion chatbot platform" means a platform that



156 allows a user to engage with companion chatbots.

157 (7) "Deidentified data" means data that cannot reasonably
158 be linked to an identified or identifiable individual or a
159 device linked to that individual.

160 (8) "Department" means the Department of Legal Affairs.

161 (9) "Material harmful to minors" has the same meaning as in
162 s. 501.1737(1).

163 (10) "Minor" means any person 17 years of age or younger.

164 (11) "Operator" means a person who owns, operates, or
165 otherwise makes available a bot to individuals in this state.

166 (12) "Pop-up" means a visible notification on the computer,
167 tablet, or smartphone screen of a user which may be resolved if
168 the user interacts with or responds to the notification.

169 (13) "Resident" means an individual who has resided in this
170 state for more than 6 months during the preceding 12-month
171 period.

172 (14) "Theme park" has the same meaning as theme park or
173 entertainment complex in s. 509.013.

174 (15) "User" means an individual who resides or is domiciled
175 in this state and who accesses an Internet website, online or
176 cloud-computing service, online application, or mobile
177 application.

178 (16) "Video game" means a game played on an electronic
179 amusement device that uses a computer, microprocessor, or
180 similar electronic circuitry and its own monitor, or is designed
181 to be used with a television set or a computer monitor, to
182 interact with the user of the device.

183 Section 6. Section 501.9984, Florida Statutes, is created
184 to read:



185 501.9984 Companion chatbot use for minors.-

186 (1) A companion chatbot platform shall prohibit a minor
187 from becoming or being an account holder unless the minor's
188 parent or guardian provides consent. If a companion chatbot
189 platform allows a minor to become or be an account holder, the
190 parties have entered into a contract.

191 (a) If the minor's parent or guardian provides consent for
192 the minor to become an account holder or maintain an existing
193 account, the companion chatbot platform must allow the
194 consenting parent or guardian of the minor account holder to:

195 1. Receive copies of all past or present interactions
196 between the account holder and the companion chatbot;
197 2. Limit the amount of time that the account holder may
198 interact with the companion chatbot each day;

199 3. Limit the days of the week and the times during the day
200 when the account holder may interact with the companion chatbot;

201 4. Disable any of the interactions between the account
202 holder and third-party account holders on the companion chatbot
203 platform; and

204 5. Receive timely notifications if the account holder
205 expresses to the companion chatbot a desire or an intent to
206 engage in harm to self or others.

207 (b) A companion chatbot platform shall do all of the
208 following:

209 1. Terminate any account or identifier belonging to an
210 account holder who is a minor if the companion chatbot platform
211 treats or categorizes the account or identifier as belonging to
212 a minor for purposes of targeting content or advertising and if
213 the minor's parent or guardian has not provided consent for the



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214 minor pursuant to subsection (1). The companion chatbot platform
215 shall provide 90 days for the account holder to dispute the
216 termination. Termination must be effective upon the expiration
217 of the 90 days if the account holder fails to effectively
218 dispute the termination.

219 2. Allow an account holder who is a minor to request to
220 terminate the account or identifier. Termination must be
221 effective within 5 business days after the request.

222 3. Allow the consenting parent or guardian of an account
223 holder who is a minor to request that the minor's account or
224 identifier be terminated. Termination must be effective within
225 10 business days after the request.

226 4. Permanently delete all personal information held by the
227 companion chatbot platform relating to the terminated minor
228 account or identifier, unless state or federal law requires the
229 platform to maintain the information.

230 (2) In connection to all accounts or identifiers held by
231 account holders who are minors, the companion chatbot platform
232 shall do all of the following:

233 (a) Disclose to the account holder that he or she is
234 interacting with artificial intelligence.

235 (b) Provide by default a clear and conspicuous notification
236 to the account holder, at the beginning of companion chatbot
237 interactions and at least once every hour during continuing
238 interactions, reminding the minor to take a break and that the
239 companion chatbot is artificially generated and not human.

240 (c) Institute reasonable measures to prevent the companion
241 chatbot from producing or sharing materials harmful to minors or
242 encouraging the account holder to engage in any of the conduct



243 described or depicted in materials harmful to minors.

244 (3) A knowing or reckless violation of this section is
245 deemed a deceptive or unfair trade practice or act actionable
246 under part II of this chapter solely by the department against a
247 companion chatbot platform. If the department has reason to
248 believe that a companion chatbot platform is in violation of
249 this section, the department, as the enforcing authority, may
250 bring an action against such platform for a deceptive or unfair
251 trade practice or act. In addition to other remedies under part
252 II of this chapter, the department may collect a civil penalty
253 of up to \$50,000 per violation and reasonable attorney fees and
254 court costs. If the companion chatbot platform's failure to
255 comply with this section is part of a consistent pattern of
256 knowing or reckless conduct, punitive damages may be assessed
257 against the companion chatbot platform.

258 (4) (a) After the department has notified a companion
259 chatbot platform in writing of an alleged violation, the
260 department may grant the companion chatbot platform 45 calendar
261 days to cure the alleged violation and may issue a letter of
262 guidance stating that the companion chatbot platform will not be
263 offered another 45-calendar-day cure period for any future
264 violations of this section. The department may consider the
265 number and frequency of violations, the substantial likelihood
266 of injury to the public, and the safety of persons or property
267 in determining whether to grant the companion chatbot platform
268 45 calendar days to cure and issue the letter of guidance.

269 1. The 45-calendar-day cure period does not apply to an
270 alleged violation where the companion chatbot platform willfully
271 or knowingly disregarded the account holder's age.



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272 2. For an alleged violation of paragraph (2) (c), the
273 companion chatbot platform may provide for the department's
274 consideration information that shows that the reasonable
275 measures taken by the platform include controls aligned with the
276 latest versions of the National Institute of Standards and
277 Technology AI Risk Management Framework, ISO 42001. Such
278 information may include structured interaction logs, status of
279 parental access controls, harm-signal detection and response
280 procedures enacted, and verified deletion events.

281 (b) If the alleged violation is cured to the satisfaction
282 of the department, and proof of such cure is provided to the
283 department, the department may not bring an action for the
284 alleged violation, but may issue a letter of guidance stating
285 that the companion chatbot platform will not be offered a 45-
286 calendar-day cure period for any future violations of this
287 section.

288 (d) If the companion chatbot platform fails to cure the
289 alleged violation within 45 calendar days, the department may
290 bring an action against such companion chatbot platform for the
291 alleged violation.

292 (5) (a) A companion chatbot platform that knowingly or
293 recklessly violates this section is liable to a minor account
294 holder for up to \$10,000 in damages plus court costs and
295 reasonable attorney fees as ordered by the court.

296 (b) A civil action for a claim under this subsection must
297 be brought within 1 year after the date the complainant knew, or
298 reasonably should have known, of the alleged violation.

299 (c) An action brought under this subsection may be brought
300 only on behalf of a minor account holder.



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301 (6) For purposes of bringing an action under this section,
302 a companion chatbot platform that allows a minor to become or be
303 an account holder on the platform is considered to be both
304 engaged in substantial and not isolated activities within this
305 state and operating, conducting, engaging in, or carrying on a
306 business and doing business in this state, and is therefore
307 subject to the jurisdiction of the courts of this state.

308 (7) This section does not preclude any other available
309 remedy at law or equity.

310 (8) The department may adopt rules to implement this
311 section.

312 Section 7. Section 501.9985, Florida Statutes, is created
313 to read:

314 501.9985 Consumer protections regarding bots.—

315 (1) At the beginning of an interaction between a user and a
316 bot, and at least once every hour during the interaction, an
317 operator shall display a pop-up message or other prominent
318 notification notifying the user or, if the interaction is not
319 through a device with a screen, otherwise inform the user, that
320 he or she is not engaging in dialogue with a human counterpart.
321 This section does not apply to a bot that is used solely by
322 employees within a business for its internal operational
323 purposes.

324 (2) A violation of this section is deemed a deceptive or
325 unfair trade practice or act actionable under part II of this
326 chapter solely by the department on behalf of a user of a bot.
327 If the department has reason to believe that an operator is in
328 violation of this section, the department, as the enforcing
329 authority, may bring an action against the operator for a



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330 deceptive or unfair trade practice or act. For the purpose of
331 bringing an action pursuant to this section, ss. 501.211 and
332 501.212 do not apply. In addition to any other remedy under part
333 II of this chapter, the department may collect a civil penalty
334 of up to \$50,000 per violation and reasonable attorney fees and
335 court costs.

336 (3) (a) After the department has notified an operator in
337 writing of an alleged violation, the department may grant the
338 operator 45 calendar days to cure the alleged violation and may
339 issue a letter of guidance stating that the companion chatbot
340 platform will not be offered another 45-calendar-day cure period
341 for any future violations. The department may consider the
342 number and frequency of violations, the substantial likelihood
343 of injury to the public, and the safety of persons or property
344 in determining whether to grant an operator 45 calendar days to
345 cure and issue the letter of guidance.

346 (b) For an alleged violation of this section, the operator
347 may provide for the department's consideration, information that
348 demonstrates that the operator provides persistent and
349 conspicuous identity indicators and accessible disclosures which
350 are in conformity with the latest versions of the National
351 Institute of Standards and Technology AI Risk Management
352 Framework, ISO 42001.

353 (c) If the alleged violation is cured to the satisfaction
354 of the department and proof of such cure is provided to the
355 department, the department may not bring an action for the
356 alleged violation but may issue a letter of guidance that
357 indicates that the operator will not be offered a 45-calendar-
358 day cure period for any future violations.



359 (d) If the operator fails to cure the alleged violation
360 within the 45-calendar-day cure period, the department may bring
361 an action against such operator for the alleged violation.

362 (4) For purposes of bringing an action pursuant to this
363 section, an operator that owns, operates, or otherwise makes
364 available a bot to individuals in this state is considered to be
365 both engaged in substantial and not isolated activities within
366 this state and operating, conducting, engaging in, or carrying
367 on a business, and doing business in this state, and is
368 therefore subject to the jurisdiction of the courts of this
369 state.

370 (5) The department may adopt rules to implement this
371 section.

372 Section 8. Section 501.9986, Florida Statutes, is created
373 to read:

374 501.9986 Consumer protections regarding deidentified data.-
375 (1) An artificial intelligence technology company may not
376 sell or disclose personal information of users unless the
377 information is deidentified data.

378 (2) An artificial intelligence technology company in
379 possession of deidentified data shall do all of the following:

380 (a) Take reasonable measures to ensure that the data cannot
381 be associated with a user.

382 (b) Maintain and use the data in deidentified form. An
383 artificial intelligence technology company may not attempt to
384 reidentify the data, except that the artificial intelligence
385 technology company may attempt to reidentify the data solely for
386 the purpose of determining whether its deidentification
387 processes satisfy the requirements of this section.



388 (c) Contractually obligate a recipient of the deidentified
389 data to comply with this section.

390 (d) Implement business processes to prevent the inadvertent
391 release of deidentified data.

392 (3) A violation of this section is deemed a deceptive or
393 unfair trade practice or act actionable under part II of this
394 chapter solely by the department. If the department has reason
395 to believe that an artificial intelligence technology company is
396 in violation of this section, the department, as the enforcing
397 authority, may bring an action against the artificial
398 intelligence technology company for a deceptive or unfair trade
399 practice or act. For the purpose of bringing an action pursuant
400 to this section, ss. 501.211 and 501.212 do not apply. In
401 addition to any other remedy under part II of this chapter, the
402 department may collect a civil penalty of up to \$50,000 per
403 violation and reasonable attorney fees and court costs.

404 (4) (a) After the department has notified an artificial
405 intelligence technology company in writing of an alleged
406 violation, the department may grant the artificial intelligence
407 technology company 45 calendar days to cure the alleged
408 violation and may issue a letter of guidance stating that the
409 artificial intelligence technology company will not be offered
410 another 45-calendar-day cure period for any future violations.
411 The department may consider the number and frequency of
412 violations, the substantial likelihood of injury to the public,
413 and the safety of persons or property in determining whether to
414 grant the artificial intelligence technology company 45 calendar
415 days to cure and issue the letter of guidance.

416 (b) For an alleged violation of this section, the



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417 artificial intelligence technology company may provide for the
418 department's consideration, information that shows that the
419 artificial intelligence technology company maintains a risk
420 management program that:

421 1. Validates the company's information security and privacy
422 controls against a recognized framework aligned with the latest
423 versions of the National Institute of Standards and Technology
424 AI Risk Management Framework, ISO 42001; and

425 2. Includes assessed controls for deidentification,
426 contractual flow-down, non-reidentification, inadvertent release
427 prevention, monitoring, and auditing sufficient to demonstrate
428 that the company is taking reasonable measures to meet the
429 requirements of this section.

430 (c) If the alleged violation is cured to the satisfaction
431 of the department and proof of such cure is provided to the
432 department, the department may not bring an action for the
433 alleged violation but may issue a letter of guidance that
434 indicates that the artificial intelligence technology company
435 will not be offered another 45-calendar-day cure period for any
436 future violations.

437 (d) If the artificial intelligence technology company fails
438 to cure the alleged violation within the 45-calendar-day cure
439 period, the department may bring an action against such
440 artificial intelligence technology company for the alleged
441 violation.

442 (5) For purposes of bringing an action pursuant to this
443 section, an artificial intelligence technology company that
444 produces, develops, creates, designs, or manufactures artificial
445 intelligence technology or products, collects data for use in



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446 artificial intelligence products, or implements artificial
447 intelligence technology in this state is considered to be both
448 engaged in substantial and not isolated activities within this
449 state and operating, conducting, engaging in, or carrying on a
450 business, and doing business in this state, and is therefore
451 subject to the jurisdiction of the courts of this state.

452 (6) The department may adopt rules to implement this
453 section.

454 Section 9. Section 501.9987, Florida Statutes, is created
455 to read:

456 501.9987 Investigations.—

457 (1) If, by its own inquiry or as a result of complaints,
458 the department has reason to believe that a person has engaged
459 in, or is engaging in, a practice or an act that violates this
460 part, the department may administer oaths and affirmations,
461 subpoena witnesses or matter, and collect evidence. Within 5
462 days, excluding weekends and legal holidays, after service of a
463 subpoena, or at any time before the return date specified in the
464 subpoena, whichever time period is longer, the party served may
465 file in the circuit court in the county in which it resides or
466 in which it transacts business and serve upon the enforcing
467 authority a petition for an order modifying or setting aside the
468 subpoena. The petitioner may raise any objection or privilege
469 that would be available upon service of a subpoena in a civil
470 action. The subpoena must inform the party served of the party's
471 rights under this subsection.

472 (2) If the matter that the department seeks to obtain by
473 subpoena is located outside this state, the person subpoenaed
474 may make the matter available to the department or its



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475 representative at the place where it is located. The department
476 may designate representatives, including officials of the state
477 in which the matter is located, to inspect the matter on its
478 behalf and may respond to similar requests from officials of
479 other states.

480 (3) Upon the failure of a person, without lawful excuse, to
481 obey a subpoena and upon reasonable notice to all persons
482 affected, the department may apply to the circuit court for an
483 order compelling compliance.

484 (4) The department may request that a person who refuses to
485 comply with a subpoena on the grounds that the testimony or
486 matter may be self-incriminating be ordered by the court to
487 provide the testimony or matter. Except in a prosecution for
488 perjury, a person who complies with a court order to provide
489 testimony or matter after asserting a valid privilege against
490 self-incrimination may not have the testimony or matter so
491 provided, or evidence derived from the testimony or matter,
492 received against the person in any criminal investigation or
493 proceeding.

494 (5) A person upon whom a subpoena is served pursuant to
495 this part must comply with its terms unless otherwise provided
496 by order of the court. A person who fails to appear, with the
497 intent to avoid, evade, or prevent compliance in whole or in
498 part with an investigation under this part, or who removes from
499 any place, conceals, withholds, mutilates, alters, or destroys,
500 or by any other means falsifies any documentary material in the
501 possession, custody, or control of a person subject to a
502 subpoena, or who knowingly conceals relevant information with
503 the intent to avoid, evade, or prevent compliance, is liable for



504 a civil penalty of not more than \$5,000 per week in violation,
505 reasonable attorney fees, and costs.

506 (6) The department may adopt rules to implement this
507 section.

508 Section 10. Section 540.08, Florida Statutes, is amended to
509 read:

510 540.08 Unauthorized publication of name, image, or
511 likeness.—

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

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

518 (b) "Person" has the same meaning as in s. 1.01.

519 (c) "Servicemember" has the same meaning as in s. 250.01
520 and includes any officer or enlisted member who died from
521 service-connected causes while on active duty.

522 (d) "Surviving children" means an individual's immediate
523 offspring and any children legally adopted by the individual.

524 (e) "Surviving spouse" means an individual's surviving
525 spouse under the law of the individual's domicile at the time of
526 the individual's death, regardless of whether the spouse later
527 remarried.

528 (2) A person may not publish, print, display, or otherwise
529 publicly use for trade or for any commercial or advertising
530 purpose the name, portrait, photograph, image, or other likeness
531 of an individual created through generative artificial
532 intelligence without the express written or oral consent to such



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533 use given by any of the following:

534 (a) The individual.

535 (b) Any other person authorized in writing by the
536 individual to license the commercial use of the individual's
537 name, image, or likeness.

538 (c) If the individual is deceased:

539 1. A person authorized in writing to license the commercial
540 use of the individual's name, image, or likeness; or

541 2. If a person is not authorized, any one individual from a
542 class composed of the deceased individual's surviving spouse and
543 surviving children. A legal parent or guardian may give consent
544 on behalf of a minor surviving child.

545 (3) A ~~No~~ person may not shall publish, print, display or
546 otherwise publicly use for purposes of trade or for any
547 commercial or advertising purpose the name, portrait,
548 photograph, image, or other likeness of an individual any
549 ~~natural person~~ without the express written or oral consent to
550 such use given by any of the following:

551 (a) The individual. Such person; or

552 (b) Any other person, firm or corporation authorized in
553 writing by the individual such person to license the commercial
554 use of the individual's her or his name, image, or likeness; or

555 (c) If the individual such person is deceased:

556 1. A ~~any~~ person, firm or corporation authorized in writing
557 to license the commercial use of the deceased individual's her
558 or his name, image, or likeness; or

559 2. If a ~~no~~ person, firm or corporation is not so
560 authorized, then by any one individual from among a class
561 composed of the individual's her or his surviving spouse and



562 surviving children. A legal parent or guardian may give consent
563 on behalf of a minor surviving child.

564 (4)-(2) If in the event the consent required in subsection
565 (2) or subsection (3) (1) is not obtained, the individual person
566 whose name, portrait, photograph, image, or other likeness is ~~so~~
567 used, or a any person, firm, or corporation authorized by the
568 individual such person in writing to license the commercial use
569 of the individual's her or his name, image, or likeness, or, if
570 the individual person whose likeness is used is deceased, a any
571 person, firm, or corporation having the right to give such
572 consent, as provided in subsection (2) or subsection (3)
573 hereinabove, may bring an action to enjoin the such unauthorized
574 publication, printing, display, or other public use, and to
575 recover damages for any loss or injury resulting from the
576 unauthorized publication sustained by reason thereof, including
577 an amount that which would have been a reasonable royalty, and
578 punitive or exemplary damages.

579 (5)-(3) If a person uses the name, portrait, photograph,
580 image, or other likeness of a servicemember member of the armed
581 forces without obtaining the consent required in subsection (2)
582 or subsection (3) (1) and the such use is not subject to an any
583 exception listed in this section, a court may impose a civil
584 penalty of up to \$1,000 per violation in addition to the civil
585 remedies contained in subsection (4) (2). Each commercial
586 transaction constitutes a violation under this section. As used
587 in this section, the term "member of the armed forces" means an
588 officer or enlisted member of the Army, Navy, Air Force, Marine
589 Corps, Space Force, or Coast Guard of the United States, the
590 Florida National Guard, and the United States Reserve Forces,



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591 including any officer or enlisted member who died as a result of
592 injuries sustained in the line of duty.

593 (6)(4) The provisions of This section does shall not apply
594 to any of the following:

595 (a) The publication, printing, display, or use of the name,
596 portrait, photograph, image, or other likeness of an individual
597 any person in a any newspaper, magazine, book, news broadcast or
598 telecast, radio broadcast, or other news medium or publication
599 if used as part of a any bona fide news report or presentation
600 having a current and legitimate public interest and if the where
601 such name, image, or likeness is not used for advertising
602 purposes.[†]

603 (b) The publication, printing, display, or use of the name,
604 portrait, photograph, image, or other likeness of an individual
605 created through generative artificial intelligence in a
606 newspaper, magazine, book, news broadcast or telecast, radio
607 broadcast, or other news medium or publication if the generative
608 artificial intelligence is used as part of a bona fide news
609 report or presentation and that report or presentation contains
610 a clear acknowledgement of speculation regarding the
611 authenticity of the materials which are the subject of the
612 report or presentation.

613 (c) The use of an individual's such name, portrait,
614 photograph, image, or other likeness in connection with the
615 resale or other distribution of literary, musical, or artistic
616 productions or other articles of merchandise or property with
617 the individual's consent where such person has consented to the
618 use of her or his name, portrait, photograph, or likeness on or
619 in connection with the initial sale or distribution of the



620 productions, articles, or merchandise. thereof; or
621 (d) (e) A Any photograph of an individual a person solely as
622 a member of the public if the individual and where such person
623 is not named or otherwise identified in or in connection with
624 the use of the such photograph.

625 (7) (5) An No action may not shall be brought under this
626 section by reason of a any publication, printing, display, or
627 other public use of the name, portrait, photograph, image, or
628 other likeness of an individual a person occurring more than
629 after the expiration of 40 years from and after the death of the
630 individual such person.

631 (6) As used in this section, a person's "surviving spouse"
632 is the person's surviving spouse under the law of her or his
633 domicile at the time of her or his death, whether or not the
634 spouse has later remarried; and a person's "children" are her or
635 his immediate offspring and any children legally adopted by the
636 person. Any consent provided for in subsection (1) shall be
637 given on behalf of a minor by the guardian of her or his person
638 or by either parent.

639 (8) (7) The remedies provided for in this section are shall
640 be in addition to and not in limitation of the remedies and
641 rights of any person under the common law against the invasion
642 of her or his privacy.

643 Section 11. Subsection (21) is added to section 1002.42,
644 Florida Statutes, to read:

645 1002.42 Private schools.—

646 (21) ARTIFICIAL INTELLIGENCE INSTRUCTIONAL TOOLS.—A private
647 school that provides student access to an artificial
648 intelligence instructional tool, as defined in s. 1006.1495,



649 must comply with the provisions in that section

650 Section 12. Section 1006.1495, Florida Statutes, is created
651 to read:

652 1006.1495 Artificial intelligence instructional tools;
653 parental notice, opt-out, and account access.—

654 (1) DEFINITIONS.—As used in this section, the term:

655 (a) “Artificial intelligence instructional tool” means a
656 software application or service that uses artificial
657 intelligence, including machine learning, which is made
658 available to a student by an educational entity for educational
659 purposes, including instruction, tutoring, practice, feedback,
660 or completing educator-directed assignments, and that is not
661 designed, marketed, or configured to:

662 1. Meet a student’s social needs;

663 2. Simulate friendship, companionship, or an emotional
664 relationship with a student; or

665 3. Employ relationship-building or anthropomorphic design
666 features for the purpose of encouraging a student to continue
667 interacting with the system.

668 (b) “Educational entity” means a school district, a public
669 school, or a private school. The term includes a VPK provider
670 meaning a private prekindergarten provider or a public school
671 prekindergarten provider, as those terms are defined in s.
672 1002.51, which delivers the Voluntary Prekindergarten Education
673 Program under part V of chapter 1002.

674 (c) “Operator” means a person who operates an artificial
675 intelligence instructional tool and collects, receives,
676 maintains, or uses student information or student-generated
677 content through the tool.



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678 (d) "Parent" includes a parent, guardian, or other person
679 with legal authority to make educational decisions for a
680 student.

681 (e) "Private school" has the same meaning as in s.
682 1002.01(3).

683 (f) "Public school" means a component described in s.
684 1000.04(2), (4), (5), or (6).

685 (2) EDUCATIONAL USE; PARENTAL NOTICE.—Before a student is
686 provided access credentials for an artificial intelligence
687 instructional tool, the educational entity must provide the
688 parent of a minor student with notice that:

689 (a) Identifies the tool and its educational purpose;
690 (b) Describes, in general terms, how the tool will be used
691 by students;

692 (c) Explains how the parent may exercise the opt-out
693 process under subsection (3); and

694 (d) Explains how the parent may access the student's
695 account or request access to information and account activity
696 under subsection (4), including the method for submitting a
697 written request.

698 (3) PARENTAL OPT-OUT.—
699 (a) A parent of a minor student must be provided the
700 opportunity to opt out of the student's use of an artificial
701 intelligence instructional tool.

702 (b) The opt-out process must align with the educational
703 entity's existing policies for parental notice, consent,
704 objection, or opt-out for instructional materials, digital
705 tools, or online accounts, as applicable.

706 (c) If a parent opts out and the student is enrolled in a



707 public school, the school district or public school must provide
708 an alternative instructional activity that allows the student to
709 meet a comparative educational requirement without penalty.

710 (4) PARENT ACCOUNT ACCESS; COMPLIANCE OPTIONS.—

711 (a) At the time an operator provides a student's access
712 credentials or otherwise provides or enables student access to
713 an educational entity for an artificial intelligence
714 instructional tool, the operator shall simultaneously provide to
715 the educational entity a means to authorize the parent of a
716 minor student to access information and account activity
717 maintained within the artificial intelligence instructional
718 tool.

719 (b) The operator may satisfy paragraph (a) by:

720 1. Providing the parent of a minor student credentials or
721 another method for read-only access to the student's account; or
722 2. Upon written request from the parent of a minor student,
723 providing access to the information and account activity
724 maintained within the tool, in accordance with applicable state
725 and federal law, within 30 days after receipt of the request.
726 The educational entity shall inform the parent of the right to
727 make such a request and the method for submitting the request.

728 (c) If an educational entity satisfies paragraph (b)1., the
729 educational entity shall provide the credentials or other access
730 method at the time the educational entity provides the student
731 access credentials or otherwise enables student access.

732 (d) This subsection does not require an operator or an
733 educational entity to create or retain a transcript or record of
734 student interactions beyond information otherwise maintained in
735 the ordinary course of providing access to the tool.



736 (5) CONSTRUCTION.—This section does not alter:
737 (a) A parent's rights under state or federal law to access
738 student education records; or
739 (b) An educational entity's obligations under applicable
740 state and federal student privacy laws.

741 Section 11. For the purpose of incorporating the amendment
742 made by this act to section 540.08, Florida Statutes, in a
743 reference thereto, section 540.10, Florida Statutes, is
744 reenacted to read:

745 540.10 Exemption of news media from liability.—No relief
746 may be obtained under s. 540.08 or s. 540.09, against any
747 broadcaster, publisher or distributor broadcasting, publishing
748 or distributing paid advertising matter by radio or television
749 or in a newspaper, magazine, or similar periodical without
750 knowledge or notice that any consent required by s. 540.08 or s.
751 540.09, in connection with such advertising matter has not been
752 obtained, except an injunction against the presentation of such
753 advertising matter in future broadcasts or in future issues of
754 such newspaper, magazine, or similar periodical.

755 Section 12. For the purpose of incorporating the amendment
756 made by this act to section 540.08, Florida Statutes, in a
757 reference thereto, paragraph (c) of subsection (1) of section
758 743.08, Florida Statutes, is reenacted to read:

759 743.08 Removal of disabilities of minors; artistic or
760 creative services; professional sports contracts; judicial
761 approval.—

762 (1) A contract made by a minor or made by a parent or
763 guardian of a minor, or a contract proposed to be so made, may
764 be approved by the probate division of the circuit court or any



765 other division of the circuit court that has guardianship
766 jurisdiction, where the minor is a resident of this state or the
767 services of the minor are to be performed or rendered in this
768 state, where the contract sought to be approved is one under
769 which:

770 (c) The minor will endorse a product or service, or in any
771 other way receive compensation for the use of right of publicity
772 of the minor as that right is defined by s. 540.08.

773 Section 13. This act shall take effect July 1, 2026.

774
775 ===== T I T L E A M E N D M E N T =====

776 And the title is amended as follows:

777 Delete everything before the enacting clause
778 and insert:

779 A bill to be entitled
780 An act relating to the Artificial Intelligence Bill of
781 Rights; amending s. 287.138, F.S.; defining the term
782 "artificial intelligence"; prohibiting a governmental
783 entity from extending or renewing a contract with
784 specified entities, beginning on a specified date;
785 prohibiting a local governmental entity from taking
786 certain actions relating to contracting with an entity
787 to provide artificial intelligence technology,
788 software, or products unless certain requirements are
789 met, beginning on a specified date; prohibiting a
790 governmental entity from entering into a contract with
791 an entity for artificial intelligence technology,
792 software, or products under certain circumstances;
793 providing a directive to the Division of Law Revision;



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794 creating part IX of ch. 501, F.S., to be entitled the
795 "Artificial Intelligence Bill of Rights"; creating s.
796 501.9981, F.S.; providing a short title; creating s.
797 501.9982, F.S.; providing the rights of residents
798 relating to the use of artificial intelligence;
799 authorizing residents to exercise certain rights;
800 providing construction; creating s. 501.9983, F.S.;
801 defining terms; creating s. 501.9984, F.S.; requiring
802 companion chatbot platforms to prohibit a minor from
803 creating new or maintaining existing accounts or
804 identifiers unless the minor's parent or guardian
805 consents; specifying requirements for contract
806 formation; requiring companion chatbot platforms to
807 provide the minor's parent or guardian certain
808 options; requiring companion chatbot platforms to
809 terminate certain accounts or identifiers and provide
810 certain options; requiring companion chatbot platforms
811 to make certain disclosures and institute certain
812 measures to prevent their companion chatbots from
813 producing or sharing materials harmful to minors;
814 providing that knowing or reckless violations are
815 deceptive or unfair trade practices; authorizing the
816 Department of Legal Affairs to bring actions under the
817 Florida Deceptive and Unfair Trade Practices Act for
818 such violations; authorizing the department to issue
819 and enforce civil investigative demands under certain
820 circumstances; providing civil penalties; authorizing
821 punitive damages under certain circumstances;
822 authorizing the department to grant companion chatbot



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823 platforms a specified timeframe in which to cure an
824 alleged violation and to issue a certain letter of
825 guidance upon notification of an alleged violation;
826 authorizing the department to consider certain
827 information when making such determination; providing
828 applicability; authorizing the companion chatbot
829 platform to provide certain information to the
830 department in the event of an alleged violation of
831 certain requirements; prohibiting the department from
832 bringing an action against a companion chatbot
833 platform under certain circumstances; authorizing the
834 department to issue a certain letter of guidance;
835 authorizing the department to bring an action against
836 a companion chatbot platform that fails to cure an
837 alleged violation; providing liability for knowing or
838 reckless violations of specified provisions; providing
839 requirements for an action brought pursuant to the
840 act; providing that certain companion chatbot
841 platforms are subject to the jurisdiction of state
842 courts; providing construction; authorizing the
843 department to adopt rules; creating s. 501.9985, F.S.;
844 requiring bot operators to periodically provide a
845 certain notification to a user; providing
846 applicability; authorizing the department to bring
847 actions under the Florida Deceptive and Unfair Trade
848 Practices Act for violations; authorizing the
849 department to issue and enforce civil investigative
850 demands under certain circumstances; providing civil
851 penalties; authorizing the department to grant an



operator a specified timeframe in which to cure an alleged violation and to issue a certain letter of guidance; authorizing the department to consider certain information when making such determination; authorizing the operator to provide certain information to the department in the event of an alleged violation of certain requirements; prohibiting the department from bringing an action against an operator under certain circumstances; authorizing the department to issue a certain letter of guidance; authorizing the department to bring an action against an operator who fails to cure an alleged violation; providing that certain bot operators are subject to the jurisdiction of state courts; authorizing the department to adopt rules; creating s. 501.9986, F.S.; prohibiting artificial intelligence technology companies from selling or disclosing the personal information of users unless the information is deidentified data; requiring artificial intelligence technology companies in possession of deidentified data to take specified measures to ensure such data remains deidentified; authorizing the Department of Legal Affairs to bring actions under the Florida Deceptive and Unfair Trade Practices Act for violations; authorizing the department to issue and enforce civil investigative demands under certain circumstances; providing civil penalties; authorizing the department to grant an artificial intelligence technology company a specified timeframe in which to



881 cure an alleged violation and to issue a certain
882 letter of guidance; authorizing the department to
883 consider certain information when making such
884 determination; authorizing the artificial intelligence
885 technology company to provide certain information to
886 the department in the event of an alleged violation of
887 certain requirements; prohibiting the department from
888 bringing an action against an artificial intelligence
889 company under certain circumstances; authorizing the
890 department to issue a certain letter of guidance;
891 authorizing the department to bring an action against
892 an artificial intelligence company who fails to cure
893 an alleged violation; providing that certain
894 artificial intelligence technology companies are
895 subject to the jurisdiction of state courts;
896 authorizing the department to adopt rules; creating s.
897 501.9987, F.S.; authorizing the department to take
898 certain investigative and compliance actions in
899 connection with potential violations of specified
900 provisions; authorizing the department to adopt rules;
901 amending s. 540.08, F.S.; defining terms; prohibiting
902 the commercial use of an individual's name, image, or
903 likeness created through artificial intelligence
904 without the individual's or an authorized individual's
905 consent; providing requirements for the use of the
906 name, image, or likeness of deceased persons;
907 providing penalties for the use of the name, image, or
908 likeness of a servicemember; providing applicability;
909 conforming provisions to changes made by the act;



910 amending s. 1002.42, F.S.; requiring certain private
911 schools to comply with specified provisions; creating
912 s. 1006.1495, F.S.; defining terms; requiring an
913 educational entity to provide parents with specified
914 notice before providing a student with access to an
915 artificial intelligence instructional tool; requiring
916 a parent to be provided the opportunity opt out of a
917 student's use of an artificial intelligence
918 instructional tool; providing requirements for such
919 opt-out process; requiring a school district or public
920 school to provide certain activities if the parent
921 opts out of the student's use of an artificial
922 intelligence instructional tool; requiring an operator
923 to provide student access and simultaneous parental
924 access to a student account for an artificial
925 intelligence instructional tool; providing methods to
926 satisfy certain provisions; specifying that an
927 operator of an educational entity does not have to
928 create or maintain a transcript or record of certain
929 student interactions on the artificial intelligence
930 instructional tool; providing construction; reenacting
931 ss. 540.10 and 743.08(1)(c), F.S., relating to the
932 exemption of news media from liability and contracts
933 entered into by minors, respectively, to incorporate
934 the amendments made to s. 540.08, F.S., in references
935 thereto; providing an effective date.