



119286

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2026	.	
	.	
	.	
	.	

The Committee on Appropriations (Leek) recommended the following:

Senate Substitute for Amendment (966452) (with title amendment)

Delete everything after the enacting clause and insert:

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



119286

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

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

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

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

(3)(a) Beginning July 1, 2025, a governmental entity may not extend or renew a contract with an entity listed in paragraphs (2)(a)-(c) if the contract would give such entity access to an individual's personal identifying information. Beginning July 1, 2026, a governmental entity may not extend or renew a contract with an entity listed in paragraph (7)(a), paragraph (7)(b), or paragraph (7)(c).

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

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



119286

(a) The entity is owned by the government of a foreign country of concern;

(b) A government of a foreign country of concern has a controlling interest in the entity; or

(c) The entity is organized under the laws of or has its principal place of business in a foreign country of concern.

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

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

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

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

501.9982 Rights relating to the use of artificial intelligence.—

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

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

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

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



119286

chatbot.

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

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

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

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

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

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

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



119286

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



119286

account are not the result of a natural person.

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

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

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

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

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

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



119286

allows a user to engage with companion chatbots.

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

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

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

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

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

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

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

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

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

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

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



119286

501.9984 Companion chatbot use for minors.—

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

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

1. Receive copies of all past or present interactions between the account holder and the companion chatbot;

2. Limit the amount of time that the account holder may interact with the companion chatbot each day;

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

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

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

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

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



119286

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

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

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

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

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

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

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

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



119286

described or depicted in materials harmful to minors.

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

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

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



119286

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

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

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

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

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

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



119286

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

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

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

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

501.9985 Consumer protections regarding bots.—

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

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



119286

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

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

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

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



119286

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

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

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

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

501.9986 Consumer protections regarding deidentified data.-

(1) An artificial intelligence technology company may not sell or disclose personal information of users unless the information is deidentified data.

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

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

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



119286

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

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

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

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

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



119286

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

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

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

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

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

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



119286

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

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

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

501.9987 Investigations.—

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

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



119286

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

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

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

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



119286

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

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

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

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

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

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

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

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

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

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

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



119286

use given by any of the following:

(a) The individual.

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

(c) If the individual is deceased:

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

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

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

(a) The individual. ~~Such person; or~~

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

(c) If the individual ~~such person~~ is deceased: ~~;~~

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

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



119286

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

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

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



119286

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

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

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

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

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



119286

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,



119286

must comply with the provisions in that section

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

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

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

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

1. Meet a student’s social needs;

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

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

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

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



119286

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

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

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

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

(a) Identifies the tool and its educational purpose;

(b) Describes, in general terms, how the tool will be used by students;

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

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

(3) PARENTAL OPT-OUT.—

(a) A parent of a minor student must be provided the opportunity to opt out of the student's use of an artificial intelligence instructional tool.

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

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



119286

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

(4) PARENT ACCOUNT ACCESS; COMPLIANCE OPTIONS.—

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

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

1. Providing the parent of a minor student credentials or another method for read-only access to the student's account; or

2. Upon written request from the parent of a minor student, providing access to the information and account activity maintained within the tool, in accordance with applicable state and federal law, within 30 days after receipt of the request.

The educational entity shall inform the parent of the right to make such a request and the method for submitting the request.

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

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



119286

(5) CONSTRUCTION.—This section does not alter:

(a) A parent's rights under state or federal law to access student education records; or

(b) An educational entity's obligations under applicable state and federal student privacy laws.

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

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

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

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

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



119286

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

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

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

===== 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 the Artificial Intelligence Bill of Rights; amending s. 287.138, F.S.; defining the term "artificial intelligence"; prohibiting a governmental entity from extending or renewing a contract with specified entities, beginning on a specified date; prohibiting a local governmental entity from taking certain actions relating to contracting with an entity to provide artificial intelligence technology, software, or products unless certain requirements are met, beginning on a specified date; prohibiting a governmental entity from entering into a contract with an entity for artificial intelligence technology, software, or products under certain circumstances; providing a directive to the Division of Law Revision;



119286

creating part IX of ch. 501, F.S., to be entitled the
"Artificial Intelligence Bill of Rights"; creating s.
501.9981, F.S.; providing a short title; creating s.
501.9982, F.S.; providing the rights of residents
relating to the use of artificial intelligence;
authorizing residents to exercise certain rights;
providing construction; creating s. 501.9983, F.S.;
defining terms; creating s. 501.9984, F.S.; requiring
companion chatbot platforms to prohibit a minor from
creating new or maintaining existing accounts or
identifiers unless the minor's parent or guardian
consents; specifying requirements for contract
formation; requiring companion chatbot platforms to
provide the minor's parent or guardian certain
options; requiring companion chatbot platforms to
terminate certain accounts or identifiers and provide
certain options; requiring companion chatbot platforms
to make certain disclosures and institute certain
measures to prevent their companion chatbots from
producing or sharing materials harmful to minors;
providing that knowing or reckless violations are
deceptive or unfair trade practices; authorizing the
Department of Legal Affairs to bring actions under the
Florida Deceptive and Unfair Trade Practices Act for
such violations; authorizing the department to issue
and enforce civil investigative demands under certain
circumstances; providing civil penalties; authorizing
punitive damages under certain circumstances;
authorizing the department to grant companion chatbot



119286

platforms a specified timeframe in which to cure an
alleged violation and to issue a certain letter of
guidance upon notification of an alleged violation;
authorizing the department to consider certain
information when making such determination; providing
applicability; authorizing the companion chatbot
platform 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 a companion chatbot
platform under certain circumstances; authorizing the
department to issue a certain letter of guidance;
authorizing the department to bring an action against
a companion chatbot platform that fails to cure an
alleged violation; providing liability for knowing or
reckless violations of specified provisions; providing
requirements for an action brought pursuant to the
act; providing that certain companion chatbot
platforms are subject to the jurisdiction of state
courts; providing construction; authorizing the
department to adopt rules; creating s. 501.9985, F.S.;
requiring bot operators to periodically provide a
certain notification to a user; providing
applicability; authorizing the department 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



119286

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



119286

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 artificial intelligence technology company 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 artificial intelligence company under certain circumstances; authorizing the department to issue a certain letter of guidance; authorizing the department to bring an action against an artificial intelligence company who fails to cure an alleged violation; providing that certain artificial intelligence technology companies are subject to the jurisdiction of state courts; authorizing the department to adopt rules; creating s. 501.9987, F.S.; authorizing the department to take certain investigative and compliance actions in connection with potential violations of specified provisions; authorizing the department to adopt rules; amending s. 540.08, F.S.; defining terms; prohibiting the commercial use of an individual's name, image, or likeness created through artificial intelligence without the individual's or an authorized individual's consent; providing requirements for the use of the name, image, or likeness of deceased persons; providing penalties for the use of the name, image, or likeness of a servicemember; providing applicability; conforming provisions to changes made by the act;



119286

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