

1 A bill to be entitled
2 An act relating to provenance of digital content;
3 amending s. 106.145, F.S.; defining the term
4 "provenance data"; requiring certain content include
5 provenance data; creating s. 252.353, F.S.; creating a
6 pilot program within the Division of Emergency
7 Management; requiring rulemaking; requiring the
8 division to submit to specified persons an annual
9 report; providing requirements for such report;
10 providing for future repeal; creating s. 501.9741,
11 F.S.; providing definitions; requiring provenance data
12 be included with certain data; requiring providers of
13 certain artificial intelligence tools to make
14 available application tools and provenance readers;
15 requiring certain social media platforms retain and
16 make available certain provenance data; requiring
17 certain capture devices to allow the inclusion of
18 provenance data; providing a requirement for the
19 manufacturer of such device; providing that a
20 violation constitutes an unfair or deceptive act or
21 practice; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:
24

25 **Section 1. Subsection (4) of section 106.145, Florida**

26 **Statutes, is renumbered as subsection (5), subsection (1) and**
27 **present subsection (4) are amended, and a new subsection (4) is**
28 **added to that section, to read:**

29 106.145 Use of artificial intelligence.—

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

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

36 (b) "Provenance data" means information that records the
37 origin of a piece of visual or audio digital content and the
38 history of modifications to such content which is in a format
39 that is compliant with widely adopted guidelines or
40 specifications promulgated by an established standard-setting
41 body. The term includes, but is not limited to, information
42 identifying whether some or all of the content has been derived
43 through generative artificial intelligence and, if so, the name
44 of the generative artificial intelligence tool used to generate
45 such content and the organization that developed such tool.

46 (4) Any content regarding an election or purporting to
47 feature a candidate which can be viewed, heard, or accessed
48 online must carry digital provenance data.

49 (5)-(4)(a) In addition to any civil penalties provided by
50 law, a person identified pursuant to another disclaimer required

51 under this chapter as paying for, sponsoring, or approving a
 52 political advertisement, an electioneering communication, or an
 53 other miscellaneous advertisement of a political nature which is
 54 required to contain the disclaimer prescribed under subsection
 55 (2) in this section and who fails to include the required
 56 disclaimer commits a misdemeanor of the first degree, punishable
 57 as provided in s. 775.082 or s. 775.083.

58 (b) Any person may file a complaint with the Florida
 59 Elections Commission pursuant to s. 106.25 alleging a violation
 60 of this section. The commission shall adopt rules to provide an
 61 expedited hearing of complaints filed under this section, or, in
 62 cases referred to the Division of Administrative Hearings
 63 pursuant to s. 106.25(5), the director shall assign an
 64 administrative law judge to provide an expedited hearing.

65 **Section 2. Section 252.353, Florida Statutes, is created**
 66 **to read:**

67 252.353 Digital content provenance pilot program.—

68 (1) There is established within the division a digital
 69 content provenance pilot program. The purpose of the pilot
 70 program is to enhance the security and authenticity of digital
 71 content used in emergency management operations through the
 72 inclusion of provenance data as defined in s. 106.145(1).

73 (2) The division shall adopt rules necessary to implement
 74 the pilot program.

75 (3) By December 1 of each year, the division shall submit

76 to the President of the Senate and the Speaker of the House of
77 Representatives a report that includes information concerning
78 the pilot program and whether any changes should be made to the
79 pilot program which would increase its effectiveness. In the
80 report submitted by December 1, 2029, the division shall include
81 a recommendation of whether the pilot program should be
82 continued, terminated, or expanded.

83 (4) This section shall stand repealed on June 30, 2030,
84 unless reviewed and saved from appeal through reenactment by the
85 Legislature.

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

88 501.9741 Provenance data of digital content.—

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

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

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

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

100 (d) "Generative artificial intelligence tool" means a

101 product or feature that uses generative artificial intelligence
102 to create visual or audio digital content.

103 (e) "Provenance data" has the same meaning as in s.
104 106.145(1).

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

108 (2) Provenance data must be included on any synthetic data
109 wholly created by a generative artificial intelligence tool. The
110 provider of such artificial intelligence tool must make
111 available to the public:

- 112 1. An application tool.
- 113 2. A free provenance reader.

114 (3) A social media platform as defined in s. 501.2041(1)
115 must retain all available provenance data of visual or digital
116 content provided to or posted on such platform and make such
117 data available to users of the platform through a conspicuous
118 indicator.

119 (4) A capture device sold in this state must allow an
120 option to include provenance data on any visual or audio content
121 recorded with such device. The manufacturer of a capture device
122 must ensure that such provenance data can be read by third-party
123 applications.

124 (5) A violation of this section constitutes an unfair or
125 deceptive act or practice as specified in s. 501.204.

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