

1 A bill to be entitled
 2 An act relating to transparency in social media;
 3 creating s. 501.20411, F.S.; providing a short title;
 4 providing legislative findings; providing definitions;
 5 requiring foreign-adversary-owned entities operating
 6 social media platforms in the state to publicly
 7 disclose specified information in a certain manner;
 8 requiring foreign-adversary-owned entities operating
 9 social media platforms to implement a user
 10 verification system for certain entities; providing
 11 penalties; requiring enforcement by the Department of
 12 Legal Affairs; providing severability; providing an
 13 effective date.

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

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 17 Section 1. Section 501.20411, Florida Statutes, is created
 18 to read:

19 501.20411 Transparency in Social Media Act.—

20 (1) This section may be cited as the "Transparency in
 21 Social Media Act."

22 (2) The Legislature finds that:

23 (a) Social media platforms play a significant role in
 24 shaping public discourse and opinion.

25 (b) Algorithms used by social media platforms can

26 influence user behavior and content visibility.

27 (c) Transparency in the functioning of such algorithms and
28 in political and social advertising is vital for safeguarding
29 democratic values and user privacy.

30 (d) Ownership of social media platforms by foreign
31 entities can raise concerns regarding foreign influence and data
32 security.

33 (3) For purposes of this section, the term:

34 (a) "Algorithm" has the same meaning as in s. 501.2041(1).

35 (b) "Foreign-adversary-owned entity" or "entity" means a
36 social media company that is more than 15-percent owned or
37 controlled by nationals, governments, or corporations domiciled,
38 incorporated, or otherwise holding residence in a country
39 designated as a foreign adversary under 15 C.F.R. s. 7.4. As
40 used in this paragraph, the term "owned or controlled" means
41 that a national, government, or corporation designated as a
42 foreign adversary has power:

43 1. Over the election of the directors, or of individuals
44 exercising similar functions, for the entity; or

45 2. To exercise influence over the management of the
46 entity.

47 (c) "Social media platform" means a public online service
48 that allows users to create and share or participate in social
49 networking.

50 (d) "Social or political advertising" means any

51 advertisement on a social media platform that:

52 1. References, or advocates for or against, a candidate
53 for political office, a political or executive official, a
54 political party, or a political action committee;

55 2. References, or advocates for or against, an outcome or
56 position in any election, referendum, ballot initiative, or
57 voter registration campaign;

58 3. References, advocates, or discusses matters of public
59 policy, including, but not limited to, matters of foreign policy
60 or diplomacy, healthcare, civil rights, economic matters,
61 governance structures, or any other matters that pertain to
62 governmental policymaking;

63 4. Includes messaging, language, or graphics that a
64 reasonable person might believe seeks to influence public
65 opinion, debate, or discussion; or

66 5. Is otherwise regulated as political advertising.

67 (4)(a) Each foreign-adversary-owned entity operating a
68 social media platform in the state must publicly disclose the
69 core functional elements of the social media platform's content
70 curation and algorithms.

71 (b) The disclosure must identify:

72 1. The factors that influence content ranking and
73 visibility.

74 2. Measures taken to address misinformation and harmful
75 content.

76 3. The process of personalization and targeting of
77 content.

78 (5) Each foreign-adversary-owned entity operating a social
79 media platform must make publicly available the source code of
80 its algorithms through an open-source license.

81 (6) (a) Each foreign-adversary-owned entity operating a
82 social media platform must implement a user verification system
83 for each user and organization that purchases advertisements
84 concerning social or political issues. The system must verify
85 key identifying information, including citizenship, residency,
86 and age of the user or the individuals that own the
87 organization, as applicable.

88 (b) Once verified, the identity of the purchaser of each
89 social or political advertisement must be disclosed with the
90 advertisement.

91 (7) (a) A foreign-adversary-owned entity operating a social
92 media platform that violates this section is liable up to
93 \$10,000 for each discrete violation.

94 (b) The Department of Legal Affairs shall enforce this
95 section.

96 Section 2. If any provision of this act or its application
97 to any person or circumstances is held invalid, the invalidity
98 does not affect other provisions or applications of this act
99 which can be given effect without the invalid provision or
100 application, and to this end the provisions of this act are

101 | severable.

102 | Section 3. This act shall take effect July 1, 2024.