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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/29/2024	.	
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The Committee on Judiciary (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 282.802, Florida Statutes, is created to
read:

282.802 Government Technology Modernization Council.-

(1) The Government Technology Modernization Council, an
advisory council as defined in s. 20.03(7), is created within
the department. Except as otherwise provided in this section,
the advisory council shall operate in a manner consistent with



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12 s. 20.052.

13 (2) The purpose of the council is to study and monitor the
14 development and deployment of artificial intelligence systems
15 and provide reports on such systems to the Governor and the
16 Legislature.

17 (3) The council shall be composed of the following members:

18 (a) The Lieutenant Governor.

19 (b) The state chief information officer.

20 (c) The State Surgeon General.

21 (d) The Secretary of Health Care Administration.

22 (e) A representative of the computer crime center of the
23 Department of Law Enforcement, appointed by the executive
24 director of the Department of Law Enforcement.

25 (f) The Chief Inspector General.

26 (g) Thirteen representatives of institutions of higher
27 education located in this state or the private sector with
28 senior level experience or expertise in artificial intelligence,
29 cloud computing, identity management, data science, machine
30 learning, government procurement, and constitutional law, with
31 seven appointed by the Governor, three appointed by the
32 President of the Senate, and three appointed by the Speaker of
33 the House of Representatives.

34 (h) One member of the Senate, appointed by the President of
35 the Senate or his or her designee.

36 (i) One member of the House of Representatives, appointed
37 by the Speaker of the House of Representatives or his or her
38 designee.

39 (4) Members shall serve for terms of 4 years, except that
40 sitting members of the Senate and the House of Representatives



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41 shall serve terms that correspond with their terms of office.
42 For the purpose of providing staggered terms, the initial
43 appointments of members made by the Governor shall be for terms
44 of 2 years. A vacancy shall be filled for the remainder of the
45 unexpired term in the same manner as the initial appointment.
46 All members of the council are eligible for reappointment.

47 (5) The Secretary of Management Services, or his or her
48 designee, shall serve as the ex officio, nonvoting executive
49 director of the council.

50 (6) Members of the council shall serve without compensation
51 but are entitled to receive reimbursement for per diem and
52 travel expenses pursuant to s. 112.061.

53 (7) Members of the council shall maintain the confidential
54 and exempt status of information received in the performance of
55 their duties and responsibilities as members of the council. In
56 accordance with s. 112.313, a current or former member of the
57 council may not disclose or use information not available to the
58 general public and gained by reason of his or her official
59 position, except for information relating exclusively to
60 governmental practices, for his or her personal gain or benefit
61 or for the personal gain or benefit of any other person or
62 business entity. Members of the council shall sign an agreement
63 acknowledging the provisions of this subsection.

64 (8) The council shall meet at least quarterly to:

65 (a) Assess and provide guidance on necessary legislative
66 reforms and the creation of a state code of ethics for
67 artificial intelligence systems in state government.

68 (b) Assess the effect of automated decision systems on
69 constitutional and other legal rights, duties, and privileges of



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70 residents of this state.

71 (c) Study the potential benefits, liabilities, and risks
72 that this state, residents of this state, and businesses may
73 incur as a result of implementing automated decision systems.

74 (d) Recommend legislative and administrative actions that
75 the Legislature and state agencies as defined in s. 282.318(2)
76 may take to promote the development of data modernization in
77 this state.

78 (e) Assess where artificial intelligence is deployed today.

79 (f) Evaluate common standards for artificial intelligence
80 safety and security measures.

81 (g) Assess how governmental entities and the private sector
82 are using artificial intelligence with a focus on opportunity
83 areas for deployments in systems across this state.

84 (h) Determine how artificial intelligence is being
85 exploited by bad actors, including foreign countries of concern
86 as defined in s. 287.138(1).

87 (9) By June 30, 2025, and each June 30 thereafter, the
88 council shall submit to the President of the Senate and the
89 Speaker of the House of Representatives any legislative
90 recommendations considered necessary by the council to modernize
91 government technology.

92 (10) By December 1, 2024, and each December 1 thereafter,
93 the council shall submit to the Governor, the President of the
94 Senate, and the Speaker of the House of Representatives a
95 comprehensive report that includes data, trends, analysis,
96 findings, and recommendations for state and local action
97 regarding ransomware incidents. At a minimum, the report must
98 include:



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99 (a) A summary of recommendations by relevant national
100 entities on technology systems in state government, including,
101 but not limited to, artificial intelligence, cloud computing,
102 identity management, and financial technology.

103 (b) An assessment of the impact of using artificial
104 intelligence systems on the liberty, finances, livelihood, and
105 privacy interests of residents of this state.

106 (c) Recommended policies necessary to:

107 1. Protect the privacy interests of residents of this state
108 from any decrease in employment caused by artificial
109 intelligence systems.

110 2. Ensure that residents of this state are free from unfair
111 discrimination caused or compounded by the employment of
112 artificial intelligence systems.

113 3. Promote the development and deployment of artificial
114 intelligence systems in this state.

115 (d) Any other information the council considers relevant.

116 Section 2. Section 827.072, Florida Statutes, is created to
117 read:

118 827.072 Generated child pornography.—

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

120 (a) "Generated child pornography" means any image that has
121 been created, altered, adapted, or modified by electronic,
122 mechanical, or other computer-generated means to portray a
123 fictitious person, who a reasonable person would regard as being
124 a real person younger than 18 years of age, engaged in sexual
125 conduct.

126 (b) "Intentionally view" has the same meaning as in s.
127 827.071.



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157 reports to the Governor and the Legislature by
158 specified dates; creating s. 827.072, F.S.; defining
159 terms; prohibiting a person from knowingly possessing
160 or controlling or intentionally viewing photographs,
161 motion pictures, representations, images, data files,
162 computer depictions, or other presentations which the
163 person knows to include generated child pornography;
164 providing criminal penalties; prohibiting a person
165 from intentionally creating generated child
166 pornography; providing criminal penalties; providing
167 an effective date.