

By Senator Jones

34-01884-25

20251550__

1 A bill to be entitled
2 An act relating to historical records concerning
3 enslaved individuals; providing a short title;
4 creating s. 267.23, F.S.; providing legislative
5 findings; providing purposes; prohibiting certain acts
6 relating to the sale and trade of historical records
7 of enslaved individuals in this state; providing
8 exceptions; imposing specified penalties for
9 violations; requiring the Department of State to
10 oversee compliance with the act and to coordinate with
11 law enforcement agencies for a specified purpose;
12 authorizing the Attorney General to bring civil
13 actions for violations; requiring the department to
14 use existing state resources to fund its efforts;
15 requiring the department to establish an online
16 reporting system for a certain purpose; providing an
17 effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. This act may be cited as the "Stop the Sale of
22 Enslavement Records Act."

23 Section 2. Section 267.23, Florida Statutes, is created to
24 read:

25 267.23 Sale of historical records prohibited.—

26 (1) LEGISLATIVE FINDINGS.—The Legislature finds that:

27 (a) Historical records, such as bills of sale that document
28 the sale and trade of enslaved individuals, commodify the trauma
29 that millions of African Americans endured before 1865 and

34-01884-25

20251550__

30 incentivize the exploitation of these painful historical records
31 for profit.

32 (b) The sale, resale, auction, or commercial distribution
33 for profit of such historical records perpetuates the
34 dehumanization of enslaved individuals and their descendants and
35 reduces their lived experiences to mere financial transactions.

36 (c) Similar prohibitions to prevent sales of sensitive
37 materials exist internationally, such as the prohibition of Nazi
38 memorabilia sales in Germany and France, which were enacted to
39 prevent the resurgence of harmful ideologies and the
40 commodification of historical atrocities.

41 (d) Federal and state legislative mechanisms do not
42 currently exist to ensure the ethical handling and preservation
43 of records related to American slavery in a manner that honors
44 the dignity of those affected and their descendants.

45 (2) PURPOSES.-The purposes of this section are to:

46 (a) Prohibit the commercial sale, resale, auction, or
47 commercial distribution for profit of historical records that
48 document the sale and trade of enslaved individuals in this
49 state.

50 (b) Provide mechanisms for the ethical preservation and
51 display of such records through academic, research, and
52 historical institutions.

53 (c) Establish penalties for individuals, businesses, and
54 entities that engage in the sale, resale, auction, or commercial
55 distribution for profit of such historical records.

56 (3) PROHIBITION ON SALE OF ENSLAVEMENT RECORDS.-

57 (a) It is unlawful for an individual, a business, or an
58 entity to:

34-01884-25

20251550__

59 1. Sell, resell, auction, or otherwise commercially
60 distribute for profit any historical record that documents the
61 sale and trade of enslaved individuals in this state.

62 2. Import, export, or transport such historical records for
63 sale, resale, auction, or financial gain.

64 3. Offer for sale, resale, or auction any digital
65 reproduction or facsimile of such historical records for profit.

66 (b) This section does not prohibit:

67 1. The donation or transfer of such historical records to
68 accredited historical, educational, or research institutions for
69 the purpose of study, preservation, or public education.

70 2. The display or use of such historical records in
71 museums, archives, or historical research projects that do not
72 involve financial transactions for ownership.

73 (4) PENALTIES.—Any individual, business, or entity that
74 violates this section is subject to:

75 (a) A civil penalty not exceeding \$10,000 per violation.

76 (b) Seizure of the historical records, which shall be
77 transferred to an appropriate historical, educational, or
78 research institution.

79 (c) Additional penalties as determined by the Office of the
80 Attorney General.

81 (5) ENFORCEMENT.—

82 (a) The Department of State shall oversee compliance with
83 this section and coordinate with law enforcement agencies to
84 prevent and enforce violations.

85 (b) The Attorney General may bring a civil action against
86 any individual, business, or entity that violates this section.

87 (6) FUNDING AND IMPLEMENTATION.—

34-01884-25

20251550__

88 (a) The Department of State shall use existing state
89 resources otherwise allocated to historical preservation and
90 consumer protection enforcement to fund this section.

91 (b) The Department of State shall establish an online
92 reporting system for the public to report suspected violations
93 of this section.

94 Section 3. This act shall take effect July 1, 2025.