

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 purpose; prohibiting certain acts
 6 relating to the sale and trade of enslaved individuals
 7 in this state; providing exceptions; establishing
 8 specified penalties for violations of this act;
 9 granting the Department of State the responsibility to
 10 oversee this act; granting the Attorney General the
 11 power to bring civil actions for violations; requiring
 12 the department to use existing state resources to fund
 13 this act; requiring the department to establish an
 14 online reporting system for certain purposes;
 15 providing an effective date.

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

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

21 **Section 2. Section 267.23, Florida Statutes, is created to**
 22 **read:**

23 267.23 Sale of historical records prohibited.—

24 (1) FINDINGS.—The Legislature finds that:

25 (a) Historical records, such as bills of sale that

26 | document the sale and trade of enslaved individuals, commodify
27 | the trauma that millions of African Americans endured and
28 | incentivize the exploitation of these painful historical
29 | artifacts for profit.

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

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

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

43 | (2) PURPOSE.-The purpose of this section is to:

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

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

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

54 (3) PROHIBITION ON SALE OF ENSLAVEMENT RECORDS.—

55 (a) It is unlawful for an individual, a business, or an
 56 entity to:

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

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

62 3. Offer for sale, resale, or auction any digital
 63 reproduction or facsimile of such documents for profit.

64 (b) This section does not prohibit:

65 1. The donation or transfer of these historical records to
 66 accredited historical, educational, or research institutions for
 67 the purpose of study, preservation, or public education.

68 2. The display or use of these such documents in museums,
 69 archives, or historical research projects that do not involve
 70 financial transactions for ownership.

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

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

74 (b) Seizure of the historical records, which shall be
 75 transferred to an appropriate historical, educational, or

76 research institution.

77 (c) Additional penalties as determined by the Office of
 78 the Attorney General.

79 (5) ENFORCEMENT.—

80 (a) The Department of State shall oversee compliance with
 81 this section and coordinate with law enforcement agencies to
 82 prevent and penalize violations.

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

85 (6) FUNDING AND IMPLEMENTATION.—

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

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

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