

1                   A bill to be entitled  
2           An act relating to liability for defamatory  
3           statements; amending s. 770.02, F.S.; requiring that  
4           certain articles or broadcasts be removed from  
5           specified websites within a specified period to limit  
6           damages for defamation; amending s. 770.04, F.S.;  
7           providing persons in certain positions relating to  
8           newspapers with immunity for defamation if such  
9           persons exercise due care to prevent publication of a  
10          defamatory statement; requiring removal of defamatory  
11          statements from specified websites in certain  
12          circumstances; providing an effective date.

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

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16           **Section 1. Subsections (1) and (2) of section 770.02,**  
17   **Florida Statutes, are amended to read:**

18           770.02   Correction, apology, or retraction by newspaper or  
19   broadcast station.—

20           (1)   If it appears upon the trial that said article or  
21   broadcast was published in good faith; that its falsity was due  
22   to an honest mistake of the facts; that there were reasonable  
23   grounds for believing that the statements in said article or  
24   broadcast were true; and that, within the period of time  
25   specified in subsection (2), a full and fair correction,

26 | apology, or retraction was, in the case of a newspaper or  
27 | periodical, published in the same editions or corresponding  
28 | issues of the newspaper or periodical in which said article  
29 | appeared and in as conspicuous place and type as said original  
30 | article or, in the case of a broadcast, the correction, apology,  
31 | or retraction was broadcast at a comparable time, then the  
32 | plaintiff in such case shall recover only actual damages. For  
33 | purposes of this section, if such an article or broadcast has  
34 | been published on the Internet, the article or broadcast must be  
35 | permanently removed from any website over which the newspaper,  
36 | broadcaster, or periodical has control within the time period  
37 | provided in paragraph (2) (a) in order to limit recovery to  
38 | actual damages as provided in this section.

39 | (2) Full and fair correction, apology, or retraction shall  
40 | be made:

41 | (a) In the case of a broadcast or a daily or weekly  
42 | newspaper or periodical, within 10 days after service of  
43 | notice.~~†~~

44 | (b) In the case of a newspaper or periodical published  
45 | semimonthly, within 20 days after service of notice.~~†~~

46 | (c) In the case of a newspaper or periodical published  
47 | monthly, within 45 days after service of notice.~~†~~ and

48 | (d) In the case of a newspaper or periodical published  
49 | less frequently than monthly, in the next issue, provided notice  
50 | is served no later than 45 days before ~~prior to~~ such

51 publication.

52 **Section 2. Section 770.04, Florida Statutes, is amended to**  
 53 **read:**

54 770.04 Civil liability of certain media outlets ~~radio or~~  
 55 ~~television broadcasting stations~~; care to prevent publication or  
 56 utterance required.—

57 (1) The owner, licensee, or operator of a radio or  
 58 television broadcasting station or a newspaper, and the agents  
 59 or employees of any such owner, licensee, or operator, are ~~shall~~  
 60 not be liable for any damages for any defamatory statement  
 61 published or uttered in or as a part of a radio or television  
 62 broadcast or newspaper article, by one other than such owner,  
 63 licensee, or operator, or general agent or employees thereof,  
 64 unless it is ~~is shall be~~ alleged and proved by the complaining  
 65 party, ~~that~~ such owner, licensee, operator, general agent, or  
 66 employee, ~~has~~ failed to exercise due care to prevent the  
 67 publication or utterance of such statement in such broadcasts or  
 68 newspaper articles, provided, however, the exercise of due care  
 69 shall be construed to include the bona fide compliance with any  
 70 federal law or the regulation of any federal regulatory agency.

71 (2) When an owner, a licensee, or an operator described in  
 72 subsection (1) publishes a defamatory statement on the Internet  
 73 with no knowledge of falsity of the statement and thereafter  
 74 receives notice that such statement has been found in a judicial  
 75 proceeding to be false, or receives notice of facts that would

76 | cause a reasonable person to conclude that such statement was  
77 | false, and the owner, licensee, or operator fails to take  
78 | reasonable steps to permanently remove the statement and any  
79 | related report from any website over which the newspaper,  
80 | broadcaster, or periodical has control, the continued appearance  
81 | of such statement or report on such website after the notice is  
82 | a new publication for purpose of the statute of limitations, and  
83 | the owner, licensee, or operator shall not be entitled to a fair  
84 | reporting privilege for such new publication; provided that no  
85 | action shall be commenced more than 20 years after the date of  
86 | first publication.

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