



528050

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2025	.	
	.	
	.	
	.	

The Committee on Judiciary (Simon) recommended the following:

Senate Amendment

Delete lines 39 - 82
and insert:
must be permanently removed from any website over which the
newspaper, broadcaster, or periodical has control within the
time period provided in paragraph (2)(a) in order to limit
recovery to actual damages as provided in this section.

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

(a) In the case of a broadcast or a daily or weekly



528050

newspaper or periodical, within 10 days after service of notice.~~†~~

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

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

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

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

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

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

(2) When an owner, a licensee, or an operator described in



528050

41 subsection (1) publishes a defamatory statement on the Internet
42 with no knowledge of falsity of the statement and thereafter
43 receives notice that such statement has been found in a judicial
44 proceeding to be false, or receives notice of facts that would
45 cause a reasonable person to conclude that such statement was
46 false, and the owner, licensee, or operator fails to take
47 reasonable steps to permanently remove the statement and any
48 related report from any website over which the newspaper,
49 broadcaster, or periodical has control, the continued appearance
50 of such statement or report on such website after the notice is