

CS/HB 339

2026

A bill to be entitled  
An act relating to the advertisement of a harmful  
vaccine; amending s. 499.0054, F.S.; defining the term  
"advertise"; providing manufacturer liability under  
certain circumstances; authorizing an individual to  
file a cause of action under certain circumstances;  
providing that a prevailing party is entitled to  
actual damages, court costs, and reasonable attorney  
fees; providing an effective date.

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

Section 1. Subsection (4) is added to section 499.0054, Florida Statutes, to read:

499.0054 Advertising and labeling of drugs, devices, and cosmetics; exemptions.—

(4) (a) As used in this subsection, the term "advertise" means a media communication, including, but not limited to, television, radio, print, the Internet, digital or electronic media, product placement, promotion by an influencer in exchange for compensation, or any other manner of paid promotion, that a vaccine manufacturer purchases to promote the manufacturer's vaccine. The term does not include:

1. Any discussion between a health care provider and the provider's patient or any written materials that a health care

26 provider provides to a patient concerning a vaccine; or  
27 2. Any posters, decorations, or other materials or  
28 promotional items concerning a vaccine that are displayed in or  
29 made available by a health care facility, health care provider's  
30 office, or other clinical setting.

31 (b) A manufacturer is liable to an individual if the  
32 manufacturer advertises a vaccine in this state and the  
33 advertised vaccine causes harm or injury to an individual.

34 (c) Notwithstanding any other law to the contrary, an  
35 individual may bring an action under this section within 3 years  
36 following the accrual of the cause of action.

37 (d) A court shall award a claimant who prevails in an  
38 action brought under this section actual damages, court costs,  
39 and reasonable attorney fees.

40 **Section 2.** This act shall take effect October 1, 2026.