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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
02/18/2026	.	
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The Committee on Appropriations (Leek) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present paragraphs (a) through (d) of subsection (1) and present subsection (7) of section 287.138, Florida Statutes, are redesignated as paragraphs (b) through (e) and subsection (8), respectively, a new paragraph (a) is added to subsection (1), a new subsection (7) is added to that section, and subsection (3) of that section is amended, to read:



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11 287.138 Contracting with entities of foreign countries of
12 concern prohibited.—

13 (1) As used in this section, the term:

14 (a) "Artificial intelligence" means a machine-based system
15 that can, for a given set of human-defined objectives, make
16 predictions, recommendations, or decisions influencing real or
17 virtual environments.

18 (3) (a) Beginning July 1, 2025, a governmental entity may
19 not extend or renew a contract with an entity listed in
20 paragraphs (2) (a)-(c) if the contract would give such entity
21 access to an individual's personal identifying information.
22 Beginning July 1, 2026, a governmental entity may not extend or
23 renew a contract with an entity listed in paragraph (7) (a),
24 paragraph (7) (b), or paragraph (7) (c).

25 (b) Beginning July 1, 2026, a governmental entity may not
26 accept a bid on, a proposal for, or a reply to, or enter into a
27 contract with, an entity to provide artificial intelligence
28 technology, software, or products, including as a portion or an
29 option to the products or services provided under the contract,
30 unless the entity provides the governmental entity with an
31 affidavit signed by an officer or a representative of the entity
32 under penalty of perjury attesting that the entity does not meet
33 any of the criteria in paragraph (7) (a), paragraph (7) (b), or
34 paragraph (7) (c).

35 (7) A governmental entity may not knowingly enter into a
36 contract with an entity for artificial intelligence technology,
37 software, or products, including as a portion or an option to
38 the products or services provided under the contract, if:

39 (a) The entity is owned by the government of a foreign



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40 country of concern;

41 (b) A government of a foreign country of concern has a
42 controlling interest in the entity; or

43 (c) The entity is organized under the laws of or has its
44 principal place of business in a foreign country of concern.

45 Section 2. The Division of Law Revision is directed to
46 create part IX of chapter 501, Florida Statutes, consisting of
47 ss. 501.9981, 501.9982, 501.9983, 501.9984, 501.9985, 501.9986,
48 and 501.9987, Florida Statutes, to be entitled the "Artificial
49 Intelligence Bill of Rights."

50 Section 3. Section 501.9981, Florida Statutes, is created
51 to read:

52 501.9981 Short title.—This part may be cited as the
53 "Artificial Intelligence Bill of Rights."

54 Section 4. Section 501.9982, Florida Statutes, is created
55 to read:

56 501.9982 Rights relating to the use of artificial
57 intelligence.—

58 (1) Residents are entitled to certain rights with respect
59 to the use of artificial intelligence, including, but not
60 limited to:

61 (a) The right to use artificial intelligence to improve
62 their own lives and the lives of family members, fellow
63 residents, and the world at large in accordance with the law.

64 (b) The right to supervise, access, limit, and control
65 their minor children's use of artificial intelligence.

66 (c) The right to know whether they are communicating with a
67 human being or an artificial intelligence system, program, or
68 chatbot.



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69 (d) The right to know whether artificial intelligence
70 technology companies are collecting personal information or
71 biometric data, and the right to expect artificial intelligence
72 technology companies to protect and deidentify that information
73 or data in accordance with the law.

74 (e) The right to pursue civil remedies authorized by law
75 against persons who use artificial intelligence to appropriate
76 the name, image, or likeness of others for commercial purposes
77 without their consent.

78 (f) The right to be protected by law from criminal acts,
79 such as fraud, exploitation, identity theft, stalking, and
80 cyberbullying, regardless of whether artificial intelligence is
81 used in the commission of those acts.

82 (g) The right to be protected by law from criminal acts
83 relating to the alteration of existing images to create sexual
84 or lewd or lascivious images or child pornography, regardless of
85 whether artificial intelligence is used in the commission of
86 those acts.

87 (h) The right to know whether political advertisements,
88 electioneering communications, or similar advertisements were
89 created in whole or in part with the use of artificial
90 intelligence.

91 (i) The right to pursue civil remedies authorized by law
92 against others who use artificial intelligence to slander,
93 libel, or defame them.

94 (j) The right to prevent a companion chatbot from engaging
95 with a user as a character that is protected by federal
96 copyright law without the express written consent of the
97 copyright owner.



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98 (k) The right to prevent a companion chatbot from engaging
99 with a user as a character that is a living individual without
100 the express written consent of that individual.

101 (1) The right to prevent generative artificial intelligence
102 from using a character that is protected by federal copyright
103 law without the express written consent of the copyright owner.

104 (2) Residents may exercise the rights described in this
105 section in accordance with existing law. This section may not be
106 construed as creating new or independent rights or entitlements.

107 Section 5. Section 501.9983, Florida Statutes, is created
108 to read:

109 501.9983 Definitions.—As used in this part, the term:

110 (1) "Account holder" means an individual who opens an
111 account or creates a profile or is identified by the companion
112 chatbot platform by a unique identifier while he or she is using
113 or accessing the platform, if the platform knows or has reason
114 to believe the individual is a resident of this state.

115 (2) "Artificial intelligence" means a machine-based system
116 that can, for a given set of human-defined objectives, make
117 predictions, recommendations, or decisions influencing real or
118 virtual environments.

119 (3) "Artificial intelligence technology company" means a
120 business or organization that produces, develops, creates,
121 designs, or manufactures artificial intelligence technology or
122 products, collects data for use in artificial intelligence
123 products, or implements artificial intelligence technology.

124 (4) "Bot" means an automated online software application in
125 which all or substantially all of the actions or posts of the
126 account are not the result of a natural person.



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127 (5) "Companion chatbot" means an artificial intelligence
128 system with a natural language interface that provides adaptive,
129 human-like responses to user inputs and is capable of meeting a
130 user's social needs by retaining information on prior
131 interactions or user sessions and user preferences to
132 personalize the interaction and facilitate ongoing engagement,
133 asking unprompted or unsolicited emotion-based questions that go
134 beyond a direct response to a user prompt, and sustaining an
135 ongoing dialogue personalized to the user. The term does not
136 include:

137 (a) A chatbot used only for customer service; a business's
138 internal operational purposes, productivity and analysis; or
139 uses related to source information, internal research, or
140 technical assistance;

141 (b) A chatbot that is a feature of a video game or theme
142 park and is limited to replies related to the video game or
143 theme park experience and does not discuss topics related to
144 mental health, self-harm, or material harmful to minors or
145 maintain a dialogue on other topics unrelated to the video game
146 or theme park; or

147 (c) A stand-alone consumer electronic device that functions
148 as a speaker and voice command interface, acts as a voice-
149 activated virtual assistant, and does not sustain a relationship
150 across multiple interactions or generate outputs likely to
151 elicit emotional responses in the user.

152 (6) "Companion chatbot platform" means a platform that
153 allows a user to engage with companion chatbots.

154 (7) "Deidentified data" means data that cannot reasonably
155 be linked to an identified or identifiable individual or a



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156 device linked to that individual.

157 (8) "Department" means the Department of Legal Affairs.

158 (9) "Material harmful to minors" has the same meaning as in
159 s. 501.1737.

160 (10) "Minor" means any person 17 years of age or younger.

161 (11) "Operator" means a person who owns, operates, or
162 otherwise makes available a bot to individuals in this state.

163 (12) "Pop-up" means a visible notification on the computer,
164 tablet, or smartphone screen of a user which may be resolved if
165 the user interacts with or responds to the notification.

166 (13) "Resident" means an individual who has resided in this
167 state for more than 6 months during the preceding 12-month
168 period.

169 (14) "Theme park" has the same meaning as theme park or
170 entertainment complex in s. 509.013.

171 (15) "User" means an individual who resides or is domiciled
172 in this state and who accesses an Internet website, online or
173 cloud-computing service, online application, or mobile
174 application.

175 (16) "Video game" means a game played on an electronic
176 amusement device that uses a computer, microprocessor, or
177 similar electronic circuitry and its own monitor, or is designed
178 to be used with a television set or a computer monitor, to
179 interact with the user of the device.

180 Section 6. Section 501.9984, Florida Statutes, is created
181 to read:

182 501.9984 Companion chatbot use for minors.—

183 (1) A companion chatbot platform shall prohibit a minor
184 from becoming or being an account holder unless the minor's



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185 parent or guardian provides consent. If a companion chatbot
186 platform allows a minor to become or be an account holder, the
187 parties have entered into a contract.

188 (a) If the minor's parent or guardian provides consent for
189 the minor to become an account holder or maintain an existing
190 account, the companion chatbot platform must allow the
191 consenting parent or guardian of the minor account holder to:

192 1. Receive copies of all past or present interactions
193 between the account holder and the companion chatbot;

194 2. Limit the amount of time that the account holder may
195 interact with the companion chatbot each day;

196 3. Limit the days of the week and the times during the day
197 when the account holder may interact with the companion chatbot;

198 4. Disable any of the interactions between the account
199 holder and third-party account holders on the companion chatbot
200 platform; and

201 5. Receive timely notifications if the account holder
202 expresses to the companion chatbot a desire or an intent to
203 engage in self-harm or to harm others.

204 (b) A companion chatbot platform shall do all of the
205 following:

206 1. Terminate any account or identifier belonging to an
207 account holder who is a minor if the companion chatbot platform
208 treats or categorizes the account or identifier as belonging to
209 a minor for purposes of targeting content or advertising and if
210 the minor's parent or guardian has not provided consent for the
211 minor pursuant to subsection (1). The companion chatbot platform
212 shall provide 90 days for the account holder to dispute the
213 termination. Termination must be effective upon the expiration



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214 of the 90 days if the account holder fails to effectively
215 dispute the termination.

216 2. Allow an account holder who is a minor to request to
217 terminate the account or identifier. Termination must be
218 effective within 5 business days after the request.

219 3. Allow the consenting parent or guardian of an account
220 holder who is a minor to request that the minor's account or
221 identifier be terminated. Termination must be effective within
222 10 business days after the request.

223 4. Permanently delete all personal information held by the
224 companion chatbot platform relating to the terminated minor
225 account or identifier, unless state or federal law requires the
226 platform to maintain the information.

227 (2) In connection with all accounts or identifiers held by
228 account holders who are minors, the companion chatbot platform
229 shall do all of the following:

230 (a) Disclose to the account holder that he or she is
231 interacting with artificial intelligence.

232 (b) Provide by default a clear and conspicuous notification
233 to the account holder, at the beginning of companion chatbot
234 interactions and at least once every hour during continuing
235 interactions, reminding the minor to take a break and that the
236 companion chatbot is artificially generated and not human.

237 (c) Institute reasonable measures to prevent its companion
238 chatbot from producing or sharing materials harmful to minors or
239 encouraging the account holder to engage in any of the conduct
240 described or depicted in materials harmful to minors.

241 (3) A knowing or reckless violation of this section is
242 deemed a deceptive or unfair trade practice or act actionable



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243 under part II of this chapter solely by the department against a
244 companion chatbot platform. If the department has reason to
245 believe that a companion chatbot platform is in violation of
246 this section, the department, as the enforcing authority, may
247 bring an action against such platform for a deceptive or unfair
248 trade practice or act. In addition to other remedies under part
249 II of this chapter, the department may collect a civil penalty
250 of up to \$50,000 per violation and reasonable attorney fees and
251 court costs. If the companion chatbot platform's failure to
252 comply with this section is part of a consistent pattern of
253 knowing or reckless conduct, punitive damages may be assessed
254 against the companion chatbot platform.

255 (4) (a) After the department has notified a companion
256 chatbot platform in writing of an alleged violation, the
257 department may grant the companion chatbot platform 45 calendar
258 days to cure the alleged violation and may issue a letter of
259 guidance stating that the companion chatbot platform will not be
260 offered another 45-calendar-day cure period for any future
261 violations of this section. The department may consider the
262 number and frequency of violations, the substantial likelihood
263 of injury to the public, and the safety of persons or property
264 in determining whether to grant the companion chatbot platform
265 45 calendar days to cure and issue the letter of guidance.

266 1. The 45-calendar-day cure period does not apply to an
267 alleged violation where the companion chatbot platform willfully
268 or knowingly disregarded the account holder's age.

269 2. For an alleged violation of paragraph (2) (c), the
270 companion chatbot platform may provide for the department's
271 consideration, information which shows that the reasonable



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272 measures taken by the platform to include controls aligned to
273 the latest version of the National Institute of Standards and
274 Technology AI Risk Management Framework, ISO 42001. Such
275 information may include structured interaction logs, status of
276 parental access controls, harm-signal detection and response
277 procedures enacted, and verified deletion events.

278 (b) If the alleged violation is cured to the satisfaction
279 of the department and proof of such cure is provided to the
280 department, the department may not bring an action for the
281 alleged violation but may issue a letter of guidance stating
282 that the companion chatbot platform will not be offered a 45-
283 calendar-day cure period for any future violations of this
284 section.

285 (d) If the companion chatbot platform fails to cure the
286 alleged violation within 45 calendar days, the department may
287 bring an action against such companion chatbot platform for the
288 alleged violation.

289 (5) (a) A companion chatbot platform that knowingly or
290 recklessly violates this section is liable to a minor account
291 holder for up to \$10,000 in damages plus court costs and
292 reasonable attorney fees as ordered by the court.

293 (b) A civil action for a claim under this subsection must
294 be brought within 1 year after the date the complainant knew, or
295 reasonably should have known, of the alleged violation.

296 (c) An action brought under this subsection may be brought
297 only on behalf of a minor account holder.

298 (6) For purposes of bringing an action under this section,
299 a companion chatbot platform that allows a minor to become or be
300 an account holder on the platform is considered to be both



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301 engaged in substantial and not isolated activities within this
302 state and operating, conducting, engaging in, or carrying on a
303 business and doing business in this state, and is therefore
304 subject to the jurisdiction of the courts of this state.

305 (7) This section does not preclude any other available
306 remedy at law or equity.

307 (8) The department may adopt rules to implement this
308 section.

309 Section 7. Section 501.9985, Florida Statutes, is created
310 to read:

311 501.9985 Consumer protections regarding bots.-

312 (1) At the beginning of an interaction between a user and a
313 bot, and at least once every hour during the interaction, an
314 operator shall display a pop-up message or other prominent
315 notification notifying the user or, if the interaction is not
316 through a device with a screen, otherwise inform the user, that
317 he or she is not engaging in dialogue with a human counterpart.
318 This section does not apply to a bot that is used solely by
319 employees within a business for its internal operational
320 purposes.

321 (2) A violation of this section is deemed a deceptive or
322 unfair trade practice or act actionable under part II of this
323 chapter solely by the department on behalf of a user of a bot.
324 If the department has reason to believe that an operator is in
325 violation of this section, the department, as the enforcing
326 authority, may bring an action against the operator for a
327 deceptive or unfair trade practice or act. For the purpose of
328 bringing an action pursuant to this section, ss. 501.211 and
329 501.212 do not apply. In addition to any other remedy under part



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330 II of this chapter, the department may collect a civil penalty
331 of up to \$50,000 per violation and reasonable attorney fees and
332 court costs.

333 (3) (a) After the department has notified an operator in
334 writing of an alleged violation, the department may grant the
335 operator 45 calendar days to cure the alleged violation and may
336 issue a letter of guidance stating that the companion chatbot
337 platform will not be offered another 45-calendar-day cure period
338 for any future violations. The department may consider the
339 number and frequency of violations, the substantial likelihood
340 of injury to the public, and the safety of persons or property
341 in determining whether to grant an operator 45 calendar days to
342 cure and issue the letter of guidance.

343 (b) For an alleged violation of this section, the operator
344 may provide for the department's consideration, information
345 which demonstrates that the operator provides persistent and
346 conspicuous identity indicators and accessible disclosures which
347 are in conformity with the latest version of the National
348 Institute of Standards and Technology AI Risk Management
349 Framework, ISO 42001.

350 (c) If the alleged violation is cured to the satisfaction
351 of the department and proof of such cure is provided to the
352 department, the department may not bring an action for the
353 alleged violation but may issue a letter of guidance that
354 indicates that the operator will not be offered a 45-calendar-
355 day cure period for any future violations.

356 (d) If the operator fails to cure the alleged violation
357 within the 45-calendar-day cure period, the department may bring
358 an action against such operator for the alleged violation.



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359 (4) For purposes of bringing an action pursuant to this
360 section, an operator that owns, operates, or otherwise makes
361 available a bot to individuals in this state is considered to be
362 both engaged in substantial and not isolated activities within
363 this state and operating, conducting, engaging in, or carrying
364 on a business, and doing business in this state, and is
365 therefore subject to the jurisdiction of the courts of this
366 state.

367 (5) The department may adopt rules to implement this
368 section.

369 Section 8. Section 501.9986, Florida Statutes, is created
370 to read:

371 501.9986 Consumer protections regarding deidentified data.-

372 (1) An artificial intelligence technology company may not
373 sell or disclose personal information of users unless the
374 information is deidentified data.

375 (2) An artificial intelligence technology company in
376 possession of deidentified data shall do all of the following:

377 (a) Take reasonable measures to ensure that the data cannot
378 be associated with a user.

379 (b) Maintain and use the data in deidentified form. An
380 artificial intelligence technology company may not attempt to
381 reidentify the data, except that the artificial intelligence
382 technology company may attempt to reidentify the data solely for
383 the purpose of determining whether its deidentification
384 processes satisfy the requirements of this section.

385 (c) Contractually obligate a recipient of the deidentified
386 data to comply with this section.

387 (d) Implement business processes to prevent the inadvertent



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388 release of deidentified data.

389 (3) A violation of this section is deemed a deceptive or
390 unfair trade practice or act actionable under part II of this
391 chapter solely by the department. If the department has reason
392 to believe that an artificial intelligence technology company is
393 in violation of this section, the department, as the enforcing
394 authority, may bring an action against the artificial
395 intelligence technology company for a deceptive or unfair trade
396 practice or act. For the purpose of bringing an action pursuant
397 to this section, ss. 501.211 and 501.212 do not apply. In
398 addition to any other remedy under part II of this chapter, the
399 department may collect a civil penalty of up to \$50,000 per
400 violation and reasonable attorney fees and court costs.

401 (4) (a) After the department has notified an artificial
402 intelligence technology company in writing of an alleged
403 violation, the department may grant the artificial intelligence
404 technology company 45 calendar days to cure the alleged
405 violation and may issue a letter of guidance stating that the
406 companion chatbot platform will not be offered another 45-
407 calendar-day cure period for any future violations. The
408 department may consider the number and frequency of violations,
409 the substantial likelihood of injury to the public, and the
410 safety of persons or property in determining whether to grant
411 the artificial intelligence technology company 45 calendar days
412 to cure and issue the letter of guidance.

413 (b) For an alleged violation of this section, the
414 artificial intelligence technology company may provide the for
415 the department's consideration, information which shows that the
416 artificial intelligence technology company maintains a risk



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417 management program that:

418 1. Validates the company's information security and privacy
419 controls against a recognized framework aligned with the latest
420 version of the National Institute of Standards and Technology AI
421 Risk Management Framework, ISO 42001; and

422 2. Includes assessed controls for deidentification,
423 contractual flow-down, non-reidentification, inadvertent release
424 prevention, monitoring, and auditing sufficient to demonstrate
425 that the company is taking reasonable measures to meet the
426 requirements of this section.

427 (c) If the alleged violation is cured to the satisfaction
428 of the department and proof of such cure is provided to the
429 department, the department may not bring an action for the
430 alleged violation but may issue a letter of guidance that
431 indicates that the artificial intelligence technology company
432 will not be offered another 45-calendar-day cure period for any
433 future violations.

434 (d) If the artificial intelligence technology company fails
435 to cure the alleged violation within the 45-calendar-day cure
436 period, the department may bring an action against such
437 artificial intelligence technology company for the alleged
438 violation.

439 (5) For purposes of bringing an action pursuant to this
440 section, an artificial intelligence technology company that
441 produces, develops, creates, designs, or manufactures artificial
442 intelligence technology or products, collects data for use in
443 artificial intelligence products, or implements artificial
444 intelligence technology in this state is considered to be both
445 engaged in substantial and not isolated activities within this



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446 state and operating, conducting, engaging in, or carrying on a
447 business, and doing business in this state, and is therefore
448 subject to the jurisdiction of the courts of this state.

449 (6) The department may adopt rules to implement this
450 section.

451 Section 9. Section 501.9987, Florida Statutes, is created
452 to read:

453 501.9987 Investigations.—

454 (1) If, by its own inquiry or as a result of complaints,
455 the department has reason to believe that a person has engaged
456 in, or is engaging in, a practice or an act that violates this
457 part, the department may administer oaths and affirmations,
458 subpoena witnesses or matter, and collect evidence. Within 5
459 days, excluding weekends and legal holidays, after service of a
460 subpoena or at any time before the return date specified in the
461 subpoena, whichever time period is longer, the party served may
462 file in the circuit court in the county in which it resides or
463 in which it transacts business and serve upon the enforcing
464 authority a petition for an order modifying or setting aside the
465 subpoena. The petitioner may raise any objection or privilege
466 that would be available upon service of a subpoena in a civil
467 action. The subpoena must inform the party served of the party's
468 rights under this subsection.

469 (2) If the matter that the department seeks to obtain by
470 subpoena is located outside this state, the person subpoenaed
471 may make the matter available to the department or its
472 representative at the place where it is located. The department
473 may designate representatives, including officials of the state
474 in which the matter is located, to inspect the matter on its



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475 behalf and may respond to similar requests from officials of
476 other states.

477 (3) Upon the failure of a person, without lawful excuse, to
478 obey a subpoena and upon reasonable notice to all persons
479 affected, the department may apply to the circuit court for an
480 order compelling compliance.

481 (4) The department may request that a person who refuses to
482 comply with a subpoena on the grounds that the testimony or
483 matter may be self-incriminating be ordered by the court to
484 provide the testimony or matter. Except in a prosecution for
485 perjury, a person who complies with a court order to provide
486 testimony or matter after asserting a valid privilege against
487 self-incrimination may not have the testimony or matter so
488 provided, or evidence derived from the testimony or matter,
489 received against the person in any criminal investigation or
490 proceeding.

491 (5) A person upon whom a subpoena is served pursuant to
492 this part must comply with its terms unless otherwise provided
493 by order of the court. A person who fails to appear, with the
494 intent to avoid, evade, or prevent compliance in whole or in
495 part with an investigation under this part, or who removes from
496 any place, conceals, withholds, mutilates, alters, or destroys,
497 or by any other means falsifies any documentary material in the
498 possession, custody, or control of a person subject to a
499 subpoena, or who knowingly conceals relevant information with
500 the intent to avoid, evade, or prevent compliance, is liable for
501 a civil penalty of not more than \$5,000 per week in violation,
502 reasonable attorney fees, and costs.

503 (6) The department may adopt rules to implement this



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504 section.

505 Section 10. Section 540.08, Florida Statutes, is amended to
506 read:

507 540.08 Unauthorized publication of name, image, or
508 likeness.—

509 (1) As used in this section, the term:

510 (a) “Generative artificial intelligence” means a machine-
511 based system that can, for a given set of human-defined
512 objectives, emulate the structure and characteristics of input
513 data in order to generate derived synthetic content, including
514 images, videos, audio, text, and other digital content.

515 (b) “Person” has the same meaning as in s. 1.01.

516 (c) “Servicemember” has the same meaning as in s. 250.01
517 and includes any officer or enlisted member who died from
518 service-connected causes while on active duty.

519 (d) “Surviving children” means an individual’s immediate
520 offspring and any children legally adopted by the individual.

521 (e) “Surviving spouse” means an individual’s surviving
522 spouse under the law of the individual’s domicile at the time of
523 the individual’s death, regardless of whether the spouse later
524 remarried.

525 (2) A person may not publish, print, display, or otherwise
526 publicly use for trade or for any commercial or advertising
527 purpose the name, portrait, photograph, image, or other likeness
528 of an individual created through generative artificial
529 intelligence without the express written or oral consent to such
530 use given by any of the following:

531 (a) The individual.

532 (b) Any other person authorized in writing by the



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533 individual to license the commercial use of the individual's
534 name, image, or likeness.

535 (c) If the individual is deceased:

536 1. A person authorized in writing to license the commercial
537 use of the individual's name, image, or likeness; or

538 2. If a person is not authorized, any one individual from a
539 class composed of the deceased individual's surviving spouse and
540 surviving children. A legal parent or guardian may give consent
541 on behalf of a minor surviving child.

542 (3) A ~~no~~ person may not ~~shall~~ publish, print, display or
543 otherwise publicly use for purposes of trade or for any
544 commercial or advertising purpose the name, portrait,
545 photograph, image, or other likeness of an individual ~~any~~
546 ~~natural person~~ without the express written or oral consent to
547 such use given by any of the following:

548 (a) The individual. ~~Such person; or~~

549 (b) Any other person, ~~firm or corporation~~ authorized in
550 writing by the individual ~~such person~~ to license the commercial
551 use of the individual's ~~her or his~~ name, image, or likeness. ~~; or~~

552 (c) If the individual ~~such person~~ is deceased: ~~;~~

553 1. A ~~any~~ person, ~~firm or corporation~~ authorized in writing
554 to license the commercial use of the deceased individual's ~~her~~
555 ~~or his~~ name, image, or likeness; ~~;~~ or

556 2. If a ~~no~~ person, ~~firm or corporation~~ is not ~~so~~
557 authorized, ~~then by~~ any one individual from ~~among~~ a class
558 composed of the individual's ~~her or his~~ surviving spouse and
559 surviving children. A legal parent or guardian may give consent
560 on behalf of a minor surviving child.

561 (4) ~~(2)~~ If ~~In the event~~ the consent required in subsection



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562 (2) or subsection (3) ~~(1)~~ is not obtained, the individual person
563 whose name, portrait, photograph, image, or other likeness is ~~se~~
564 used, or a any person, firm, or corporation authorized by the
565 individual such person in writing to license the commercial use
566 of the individual's her or his name, image, or likeness, or, if
567 the individual person whose likeness is used is deceased, a any
568 person, firm, or corporation having the right to give such
569 consent, as provided in subsection (2) or subsection (3)
570 hereinabove, may bring an action to enjoin the such unauthorized
571 publication, printing, display, or other public use, and ~~to~~
572 recover damages for any loss or injury resulting from the
573 unauthorized publication sustained by reason thereof, including
574 an amount that which would have been a reasonable royalty, and
575 punitive or exemplary damages.

576 (5)(3) If a person uses the name, portrait, photograph,
577 image, or other likeness of a servicemember member of the armed
578 forces without obtaining the consent required in subsection (2)
579 or subsection (3) ~~(1)~~ and the such use is not subject to an any
580 exception listed in this section, a court may impose a civil
581 penalty of up to \$1,000 per violation in addition to the civil
582 remedies contained in subsection (4) ~~(2)~~. Each commercial
583 transaction constitutes a violation under this section. ~~As used~~
584 ~~in this section, the term "member of the armed forces" means an~~
585 ~~officer or enlisted member of the Army, Navy, Air Force, Marine~~
586 ~~Corps, Space Force, or Coast Guard of the United States, the~~
587 ~~Florida National Guard, and the United States Reserve Forces,~~
588 ~~including any officer or enlisted member who died as a result of~~
589 ~~injuries sustained in the line of duty.~~

590 (6)(4) ~~The provisions of This section~~ does shall not apply



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591 to any of the following:

592 (a) The publication, printing, display, or use of the name,
593 portrait, photograph, image, or other likeness of an individual
594 any person in a any newspaper, magazine, book, news broadcast or
595 telecast, radio broadcast, or other news medium or publication
596 if used as part of a any bona fide news report or presentation
597 having a current and legitimate public interest and if the where
598 such name, image, or likeness is not used for advertising
599 purposes.

600 (b) The publication, printing, display, or use of the name,
601 portrait, photograph, image, or other likeness of an individual
602 created through generative artificial intelligence in a
603 newspaper, magazine, book, news broadcast or telecast, radio
604 broadcast, or other news medium or publication if the generative
605 artificial intelligence is used as part of a bona fide news
606 report or presentation and that report or presentation contains
607 a clear acknowledgement of speculation regarding the
608 authenticity of the materials which are the subject of the
609 report or presentation.

610 (c) The use of an individual's such name, portrait,
611 photograph, image, or other likeness in connection with the
612 resale or other distribution of literary, musical, or artistic
613 productions or other articles of merchandise or property with
614 the individual's consent where such person has consented to the
615 use of her or his name, portrait, photograph, or likeness on or
616 in connection with the initial sale or distribution of the
617 productions, articles, or merchandise. thereof; or

618 (d)(e) A Any photograph of an individual a person solely as
619 a member of the public if the individual and where such person



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620 is not named or otherwise identified in or in connection with
621 the use of the ~~such~~ photograph.

622 ~~(7)~~(5) An ~~No~~ action may not ~~shall~~ be brought under this
623 section by reason of a ~~any~~ publication, printing, display, or
624 other public use of the name, portrait, photograph, image, or
625 other likeness of an individual ~~a person~~ occurring more than
626 ~~after the expiration of 40 years from and~~ after the death of the
627 individual ~~such person~~.

628 ~~(6)~~ ~~As used in this section, a person's "surviving spouse"~~
629 ~~is the person's surviving spouse under the law of her or his~~
630 ~~domicile at the time of her or his death, whether or not the~~
631 ~~spouse has later remarried; and a person's "children" are her or~~
632 ~~his immediate offspring and any children legally adopted by the~~
633 ~~person. Any consent provided for in subsection (1) shall be~~
634 ~~given on behalf of a minor by the guardian of her or his person~~
635 ~~or by either parent.~~

636 ~~(8)~~(7) The remedies ~~provided for~~ in this section are ~~shall~~
637 ~~be~~ in addition to and not in limitation of the remedies and
638 rights of any person under the common law against the invasion
639 of her or his privacy.

640 Section 11. For the purpose of incorporating the amendment
641 made by this act to section 540.08, Florida Statutes, in a
642 reference thereto, section 540.10, Florida Statutes, is
643 reenacted to read:

644 540.10 Exemption of news media from liability.—No relief
645 may be obtained under s. 540.08 or s. 540.09, against any
646 broadcaster, publisher or distributor broadcasting, publishing
647 or distributing paid advertising matter by radio or television
648 or in a newspaper, magazine, or similar periodical without



649 knowledge or notice that any consent required by s. 540.08 or s.
650 540.09, in connection with such advertising matter has not been
651 obtained, except an injunction against the presentation of such
652 advertising matter in future broadcasts or in future issues of
653 such newspaper, magazine, or similar periodical.

654 Section 12. For the purpose of incorporating the amendment
655 made by this act to section 540.08, Florida Statutes, in a
656 reference thereto, paragraph (c) of subsection (1) of section
657 743.08, Florida Statutes, is reenacted to read:

658 743.08 Removal of disabilities of minors; artistic or
659 creative services; professional sports contracts; judicial
660 approval.—

661 (1) A contract made by a minor or made by a parent or
662 guardian of a minor, or a contract proposed to be so made, may
663 be approved by the probate division of the circuit court or any
664 other division of the circuit court that has guardianship
665 jurisdiction, where the minor is a resident of this state or the
666 services of the minor are to be performed or rendered in this
667 state, where the contract sought to be approved is one under
668 which:

669 (c) The minor will endorse a product or service, or in any
670 other way receive compensation for the use of right of publicity
671 of the minor as that right is defined by s. 540.08.

672 Section 13. This act shall take effect July 1, 2026.

673
674 ===== T I T L E A M E N D M E N T =====

675 And the title is amended as follows:

676 Delete everything before the enacting clause
677 and insert:



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678 A bill to be entitled
679 An act relating to the Artificial Intelligence Bill of
680 Rights; amending s. 287.138, F.S.; defining the term
681 "artificial intelligence"; prohibiting a governmental
682 entity from extending or renewing a contract with
683 specified entities; prohibiting a local governmental
684 entity from taking certain actions relating to
685 contracting with an entity to provide artificial
686 intelligence technology, software, or products unless
687 certain requirements are completed; prohibiting a
688 governmental entity from entering into a contract with
689 an entity for artificial intelligence technology,
690 software, or products if certain conditions are met;
691 providing a directive to the Division of Law Revision;
692 creating part IX of ch. 501, F.S., to be entitled the
693 "Artificial Intelligence Bill of Rights"; creating s.
694 501.9981, F.S.; providing a short title; creating s.
695 501.9982, F.S.; providing the rights of residents
696 relating to the use of artificial intelligence;
697 authorizing residents to exercise certain rights;
698 providing construction; creating s. 501.9983, F.S.;
699 defining terms; creating s. 501.9984, F.S.; requiring
700 companion chatbot platforms to prohibit a minor from
701 creating new or maintaining existing accounts or
702 identifiers unless the minor's parent or guardian
703 consents; specifying requirements for contract
704 formation; requiring companion chatbot platforms to
705 provide the minor's parent or guardian certain
706 options; requiring companion chatbot platforms to



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707 terminate certain accounts or identifiers and provide
708 certain options; requiring companion chatbot platforms
709 to make certain disclosures and institute certain
710 measures to prevent their companion chatbots from
711 producing or sharing materials harmful to minors;
712 providing that knowing or reckless violations are
713 deceptive or unfair trade practices; authorizing the
714 Department of Legal Affairs to bring actions under the
715 Florida Deceptive and Unfair Trade Practices Act for
716 such violations; authorizing the department to issue
717 and enforce civil investigative demands under certain
718 circumstances; providing civil penalties; authorizing
719 punitive damages under certain circumstances;
720 authorizing the department to grant companion chatbot
721 platforms a specified timeframe in which to cure an
722 alleged violation and issue a letter of guidance upon
723 notification of an alleged violation; authorizing the
724 department to consider certain information when making
725 such determination; providing applicability;
726 authorizing the companion chatbot platform to provide
727 certain information to the department in the event of
728 an alleged violation of certain requirements;
729 prohibiting the department from bringing an action
730 against a companion chatbot platform under certain
731 circumstances; authorizing the department to issue a
732 letter of guidance; authorizing the department to
733 bring an action against an operator who fails to cure
734 an alleged violation; providing liability for knowing
735 or reckless violations of specified provisions;



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736 providing requirements for an action brought pursuant
737 to the act; providing that certain companion chatbot
738 platforms are subject to the jurisdiction of state
739 courts; providing construction; authorizing the
740 department to adopt rules; creating s. 501.9985, F.S.;
741 requiring bot operators to periodically provide a
742 certain notification to a user; providing
743 applicability; authorizing the department to bring
744 actions under the Florida Deceptive and Unfair Trade
745 Practices Act for violations; authorizing the
746 department to issue and enforce civil investigative
747 demands under certain circumstances; providing civil
748 penalties; authorizing the department to grant an
749 operator a specified timeframe in which to cure an
750 alleged violation and to issue a letter of guidance;
751 authorizing the department to consider certain
752 information when making such determination;
753 authorizing the operator to provide certain
754 information to the department in the event of an
755 alleged violation of certain requirements; prohibiting
756 the department from bringing an action against a
757 companion chatbot platform under certain
758 circumstances; authorizing the department to issue a
759 letter of guidance; authorizing the department to
760 bring an action against an operator who fails to cure
761 an alleged violation; providing that certain bot
762 operators are subject to the jurisdiction of state
763 courts; authorizing the department to adopt rules;
764 creating s. 501.9986, F.S.; prohibiting artificial



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765 intelligence technology companies from selling or
766 disclosing the personal information of users unless
767 the information is deidentified data; requiring
768 artificial intelligence technology companies in
769 possession of deidentified data to take certain
770 measures to ensure such data remains deidentified;
771 authorizing the Department of Legal Affairs to bring
772 actions under the Florida Deceptive and Unfair Trade
773 Practices Act for violations; authorizing the
774 department to issue and enforce civil investigative
775 demands under certain circumstances; providing civil
776 penalties; authorizing the department to grant an
777 artificial intelligence technology company a specified
778 timeframe in which to cure an alleged violation and to
779 issue a letter of guidance; authorizing the department
780 to consider certain information when making such
781 determination; authorizing the artificial intelligence
782 technology company to provide certain information to
783 the department in the event of an alleged violation of
784 certain requirements; prohibiting the department from
785 bringing an action against an artificial intelligence
786 company under certain circumstances; authorizing the
787 department to issue a letter of guidance; authorizing
788 the department to bring an action against an
789 artificial intelligence company who fails to cure an
790 alleged violation; providing that certain artificial
791 intelligence technology companies are subject to the
792 jurisdiction of state courts; authorizing the
793 department to adopt rules; creating s. 501.9987, F.S.;



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794 authorizing the department to take certain
795 investigative and compliance actions in connection
796 with potential violations of part IX of ch. 501, F.S.;
797 authorizing the department to adopt rules; amending s.
798 540.08, F.S.; defining terms; prohibiting the
799 commercial use of an individual's name, image, or
800 likeness created through artificial intelligence
801 without the individual's or an authorized individual's
802 consent; providing requirements for the use of the
803 name, image, or likeness of deceased persons;
804 providing penalties for the use of the name, image, or
805 likeness of a servicemember; providing applicability;
806 conforming provisions to changes made by the act;
807 reenacting ss. 540.10 and 743.08(1)(c), F.S., relating
808 to the exemption of news media from liability and
809 contracts entered into by minors, respectively, to
810 incorporate the amendments made to s. 540.08, F.S., in
811 references thereto; providing an effective date.