

H0757 • Florida

Defamation, False Light, and Unauthorized Publication of Name or Likenesses

Introduced

Risk: Medium

Comprehensive

Effective: Jul 01, 2024 | Last Action (Mar 08, 2024): Died on Second Reading Calendar

Summary

House Bill 757 addresses defamation, false light, and unauthorized use of likenesses, including AI media liability, but died on the Second Reading Calendar.

Business Impact

If you use AI for media creation, you must ensure accuracy or face liability.

Key Provisions

- Requires removal of defamatory content from the internet within a specified period.
- Grants conditional immunity to newspaper personnel exercising due care.
- Specifies venue for defamation damages.
- Allows for attorney fees and damages based on venue choice.
- Subjects AI media creators to liability.
- Provides for a motion for a veracity hearing in defamation or privacy tort actions.

Compliance Checklist

- Remove defamatory content from the internet | Who: Media publishers | Penalty: Potential damages
- Exercise due care to prevent defamatory statements | Who: Newspaper personnel | Penalty: Immunity from liability if complied
- Ensure accuracy in AI-created media | Who: AI media creators | Penalty: Liability for inaccuracies

Industries Affected

Topics

AI Privacy

AI Likeness

AI Liability

Bill Sponsors

Name	Party	Role
Judiciary Committee		Sponsor
Civil Justice Subcommittee		Sponsor
Alex Andrade	R	Sponsor

Roll Call Votes

Date	Description	Yea	Nay	Result
2024-02-21	House Judiciary Committee	14	7	Passed
2024-02-06	House Regulatory Reform & Economic Development Sub	8	5	Failed
2024-01-18	House Civil Justice Subcommittee	12	4	Passed

Amendments

- House Committee Amendment #312903 — 2024-01-17 (Not Adopted)
- House Committee Amendment #823811 — 2024-01-17 (Not Adopted)

Official Source

<https://www.flsenate.gov/Session/Bill/2024/757>

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