Technology Transparency

The bill requires large scale ($100m revenue or 100m users) **social media platforms** to:

1. **Publish standards**, including detailed definitions, used for determining whether to censor or ban posts or deplatform users, including standards for "shadow banning".
2. **Consistently apply its published standards** to censor or deplatform users.
3. Inform users about **changes to rules**, agreements and terms, and obtain consent, prior to implementation of such changes. **Prohibit changing standards** more than every 30 days.
4. Provide **written notice to users within 30 days** if the social media platform censors user content or deplatforms a user. The notice must contain a detailed explanation.
5. Inform users about **the number of other users who were actually provided or shown** such users posts or content and allow users to request information on how such determinations are made.
6. Allow deplatformed users to **retrieve all user information** and data for at least 60 days.
7. Allow users to **opt-out of the use of individual types of algorithms, including those related to post-prioritization/shadow banning**, thus allowing sequential posts.
8. Provide an **annual notice of the use of algorithms**, including post-prioritization/shadow banning algorithms, **and reoffer the opportunity to opt-out of the use of individual types of algorithms**.
9. **Exempt any post by a candidate or any post about a candidate from post-prioritization/shadow banning algorithms** starting on the date of qualification through the date of the election.
10. Provide **equal access for news source content** from established journalistic enterprises unless prioritized placement is sponsored by the journalistic enterprise.

The bill makes each violation of these requirements a violation of the Florida Deceptive and Unfair Trade Practices Act (FDUTPA). The Florida Attorney General **(AG) may bring action for any violation of FDUPTA** and may collect a civil penalty for each violation of no more than $10,000. **A user may bring an action if** the social media platform fails to consistently apply standards used to censor or deplatform users or fails to provide the required written notice within 30 days. Damages are provided up to $100,000 per claim, including attorney's fees for deplatforming without cause, and actual and punitive damages depending on circumstances.

The bill ensures that the **AG has subpoena power** needed to obtain information, including algorithms, from social media platforms **to investigate violations**. The tied public records bill also includes a public records exemption for active investigations.

The bill temporarily **prevents social media platforms from being considered as a contracting partner with state government** if the AG determines that certain **anti-trust violations** are likely to have occurred. It also permanently bans those companies from contracting with the state that are found guilty of such anti-trust violations. Existing state contracts can be maintained.

The bill **bans** state and local governments **from offering economic development financial incentives** to companies that are determined by the AG to be in violation of **anti-trust laws**.

The bill requires the **Elections Commission** to fine a social media platform for deplatforming an official political candidate for office in Florida ($100,000 a day for statewide candidates and $10,000 per day for other candidates), if the candidate is deplatformed at any time starting on the date of qualification through the date of the election. The bill also requires social media platforms that provide free advertising for a candidate to report such advertising as an in-kind contribution to the candidate under state election laws.

The bill provides for severability. It also provides that it is **only effective as far as it does not violate federal law**.