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

CODING: Words stricken are deletions; words underlined are additions.

provider provides to a patient concerning a vaccine; or

2. Any posters, decorations, or other materials or promotional items concerning a vaccine that are displayed in or made available by a health care facility, health care provider's office, or other clinical setting.

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

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

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

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