

Committee on Commerce and Tourism

CS/CS/HB 169 — Fictitious Name Registration

by Commerce Committee; Careers and Competition Subcommittee; and Rep. White (CS/CS/CS/SB 346 by Rules Committee; Governmental Oversight and Accountability Committee; Commerce and Tourism Committee; and Senator Stargel)

The bill updates the Florida Fictitious Name Act, s. 865.09, F.S., which requires any person or business entity doing business in Florida under a name other than their legal name to register a fictitious name with the Division of Corporations of the Department of State. The bill:

- Defines the term “registrant” to clarify and standardize who is required to file a fictitious name;
- Clarifies that foreign business entities must be in active status with the Division of Corporations to file a fictitious name;
- Updates the process for cancellation, registration, and renewal of a fictitious name, including clarifying the term of registration;
- Standardizes language to include varied business entities, rather than just corporations;
- Changes the penalty for failure to comply with the Fictitious Name Act from a misdemeanor to a noncriminal violation; and
- Makes technical and conforming changes.

If approved by the Governor, these provisions take effect July 1, 2017.

Vote: Senate 37-0; House 113-0