

By Senator Holzendorf

2-492-98

See HB 1731

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A bill to be entitled
An act relating to fictitious names; amending
s. 865.09, F.S.; prohibiting use of a
fictitious name for certain purposes; providing
a penalty; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (14) of section 865.09, Florida
Statutes, is amended to read:

865.09 Fictitious name registration.--

(14) PROHIBITION.--

(a) A fictitious name registered as provided in this
section may not contain the words "Corporation" or
"Incorporated," or the abbreviations "Corp." or "Inc.," unless
the person or business for which the name is registered is
incorporated or has obtained a certificate of authority to
transact business in this state pursuant to chapter 607 or
chapter 617. However, a business incorporated or authorized
under chapter 607 or chapter 617 is not required to register
the corporate name pursuant to this section unless the name
that the corporation intends to conduct business under differs
from the corporation's name as stated in its articles of
incorporation.

(b) A person, partnership, limited liability company,
or corporation may not use a fictitious name in the conduct of
business with an intent to misrepresent the geographic origin
or location of any such person or entity.

Section 2. This act shall take effect upon becoming a
law.

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LEGISLATIVE SUMMARY

Prohibits persons, partnerships, limited liability companies, or corporations from using a fictitious name in the conduct of business with an intent to misrepresent the geographic origin or location of such person or entity. Any person who violates the prohibition is guilty of a second degree misdemeanor and may not maintain any court action until compliance is made.