By Senator Holzendorf

2-405-99 See HB 59 A bill to be entitled 1 2 An act relating to fictitious names; creating 3 s. 501.97, F.S.; prohibiting use of a 4 fictitious name for certain purposes; providing 5 penalties; providing an effective date. 6 7 Be It Enacted by the Legislature of the State of Florida: 8 9 Section 1. Section 501.97, Florida Statutes, is created to read: 10 11 501.97 Deceptive trade practices; telephone directories and databases; penalties .--12 (1)(a) A person may not misrepresent the geographic 13 location of the supplier of a service or product by listing a 14 fictitious business name or an assumed business name in a 15 local telephone directory if: 16 17 1. The name misrepresents the geographic location of 18 the supplier; 19 2. The listing fails to identify the address, 20 including the state of the business of the supplier; 21 3. Calls to the local telephone number are routinely 22 forwarded or otherwise transferred to a business location that is outside the calling area covered by the local telephone 23 24 directory; and 25 4. The business location of the supplier is located in 26 a county that is not contiguous to a county in the calling 27 area covered by the local telephone directory. 28 (b) A person may not list a fictitious business name or assumed business name in a directory assistance database 29 30 if: 31

1	1. The name misrepresents the geographic location of
2	the supplier;
3	2. Calls to the local telephone number are routinely
4	forwarded or otherwise transferred to a business location that
5	is outside the local calling area; and
6	3. The business location of the supplier is located in
7	a county that is not contiguous to a county in the local
8	calling area.
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10	For purposes of this section, a telephone company or other
11	provider of a telephone directory or directory assistance
12	service or its officer or agent is immune from liability for
13	publishing the listing of a fictitious business name or
14	assumed business name of a supplier in its directory or
15	directory assistance database unless the telephone company or
16	other provider of a telephone or directory assistance service
17	is the same person as the supplier of services or products who
18	has committed the deceptive act. This section applies to all
19	directories published after the effective date of this act.
20	(2) Any person violating the provisions of this
21	section is guilty of a deceptive and unfair trade practice and
22	subject to any and all penalties under part II of chapter 501.
23	Section 2. This act shall take effect upon becoming a
24	law.
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27	HOUSE SUMMARY
28	Prohibits a person from using a fictitious name in the
29	conduct of business with an intent to misrepresent the geographic origin or location of the business. Provides
30	that a person who violates this act is guilty of a deceptive and unfair trade practice. See bill for
31	details.