

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Business Regulation offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause

and insert:

Section 1. Section 501.97, Florida Statutes, is created to read:

501.97 Chambers of commerce.--

(1) For the purposes of this section:

(a) "Business entity" means any corporation, partnership, limited partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not, doing business in this state.

(b) "Chamber of commerce" means a voluntary-membership, dues-paying organization of business and professional persons dedicated, as stated in the articles of incorporation or bylaws of the organization, to improving the economic climate and business development of the community, area, or region in which the organization is located and

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1 which:

2 1. Operates as an approved not-for-profit corporation  
3 under chapter 617, Florida Statutes, and as a corporation or  
4 association qualified for tax exempt status under s. 501(c)(6)  
5 of the Internal Revenue Code of 1986, as amended.

6 2. Files any required corporation annual reports with  
7 the Secretary of State, and if applicable, required annual  
8 information returns with the United States Internal Revenue  
9 Service.

10 3. Is governed by a volunteer board of directors of at  
11 least 7 members who are elected from among the membership of  
12 the organization and who serve without compensation.

13 (2) A business entity, other than a chamber of  
14 commerce, shall not use the term "chamber of commerce" in its  
15 name or to describe itself, except for bi-national chambers of  
16 commerce recognized by the Department of State, Office of  
17 International Affairs or chambers of commerce in existence on  
18 or before October 1, 1992. Any business entity which violates  
19 this subsection commits a misdemeanor of the first degree,  
20 punishable as provided in s. 775.082 or s. 775.083.

21 (3) This section shall impose no requirement for  
22 oversight or regulation of a business entity name, trademark,  
23 trade name or other requirement for filing or registration  
24 under any provision of statute.

25 (4) Subject to the provisions of s. 495.151, a chamber  
26 of commerce may sue any business entity that is not a chamber  
27 of commerce, as defined in this section, to enjoin it from  
28 using the term "chamber of commerce" in its name or to so  
29 describe itself in any business or commerce.

30 Section 2. This act shall take effect October 1, 2002.

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 2-9,  
4 remove: all of said lines

5  
6 and insert:

7 An act relating to use of the term "chamber of  
8 commerce"; creating s. 501.97, F.S.; providing  
9 definitions; prohibiting certain business  
10 entities from using the term "chamber of  
11 commerce" under certain circumstances;  
12 providing exemptions for certain entities in  
13 existence on or before October 1, 1992;  
14 providing a penalty; limiting application of  
15 requirements; authorizing chambers of commerce  
16 to sue certain business entities to enjoin use  
17 of such term; providing an effective date.

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