

By Representative Gardiner

1                                   A bill to be entitled  
2           An act relating to use of the term "chamber of  
3           commerce"; providing definitions; prohibiting  
4           certain business entities from using the term  
5           "chamber of commerce" under certain  
6           circumstances; providing a penalty; authorizing  
7           chambers of commerce to sue certain business  
8           entities to enjoin use of such term; providing  
9           an effective date.

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

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13           Section 1. (1) For the purposes of this section:

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

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

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

30           2. Files any required corporation annual reports with  
31 the Secretary of State, and if applicable, required annual

1 information returns with the United States Internal Revenue  
2 Service.

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

6 (2) A business entity, other than a chamber of  
7 commerce, shall not use the term "chamber of commerce" in its  
8 name or to describe itself. Any business entity which violates  
9 this subsection commits a misdemeanor of the first degree,  
10 punishable as provided in s. 775.082 or s. 775.083.

11 (3) A chamber of commerce may sue to have any business  
12 entity that is not a chamber of commerce enjoined from using  
13 the term "chamber of commerce" in its name or to describe  
14 itself.

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

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19 HOUSE SUMMARY

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21 Defines business entity and chamber of commerce,  
22 prohibits business entities which are not chambers of  
23 commerce from using the term "chamber of commerce" in a  
24 name or description, provides a penalty for unauthorized  
25 use, and authorizes chambers of commerce to sue business  
26 entities that are not chambers of commerce to enjoin  
27 their use of the term. See bill for details.  
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