

By Senator Dyer

14-595A-02

See HB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled

An act relating to use of the term "chamber of commerce"; providing definitions; prohibiting certain business entities from using the term "chamber of commerce" under certain circumstances; providing a penalty; authorizing chambers of commerce to sue certain business entities to enjoin use of such term; providing an effective date.

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

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

(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 which:

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

1 2. Files any required corporation annual reports with
2 the Secretary of State, and if applicable, required annual
3 information returns with the United States Internal Revenue
4 Service.

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

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

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

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

20
21 *****

22 LEGISLATIVE SUMMARY

23 Defines business entity and chamber of commerce,
24 prohibits business entities which are not chambers of
25 commerce from using the term "chamber of commerce" in a
26 name or description, provides a penalty for unauthorized
27 use, and authorizes chambers of commerce to sue business
28 entities that are not chambers of commerce to enjoin
29 their use of the term. (See bill for details.)
30
31