



HB 0525

2003

1                                   A bill to be entitled  
 2           An act relating to use of the term "chamber of commerce";  
 3           creating s. 501.972, F.S.; providing definitions;  
 4           prohibiting certain business entities from using the term  
 5           "chamber of commerce" under certain circumstances;  
 6           providing exceptions; providing a penalty; specifying  
 7           nonimposition of certain requirements; authorizing  
 8           chambers of commerce to sue certain business entities to  
 9           enjoin use of certain terms; providing an effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

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 13           Section 1. Section 501.972, Florida Statutes, is  
 14 created to read:

15           501.972 Chambers of commerce.--

16           (1) For the purposes of this section:

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

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

28           1. Operates as an approved not-for-profit corporation  
 29 under chapter 617 and as a corporation or association qualified



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30 for tax exempt status under s. 501(c)(6) of the Internal Revenue  
31 Code of 1986, as amended.

32 2. Files any required corporation annual reports with the  
33 Secretary of State and, if applicable, required annual  
34 information returns with the United States Internal Revenue  
35 Service.

36 3. Is governed by a volunteer board of directors of at  
37 least seven members who are elected from among the membership of  
38 the organization and who serve without compensation.

39 (2) A business entity, other than a chamber of commerce,  
40 shall not use the term "chamber of commerce" in its name or to  
41 describe itself, except for binational chambers of commerce  
42 recognized by the Office of International Affairs of the  
43 Department of State or chambers of commerce in existence on or  
44 before October 1, 1992. Any business entity which violates this  
45 subsection commits a misdemeanor of the first degree, punishable  
46 as provided in s. 775.082 or s. 775.083.

47 (3) This section imposes no requirement for oversight or  
48 regulation of a business entity name, trademark, trade name, or  
49 other requirement for filing or registration under any provision  
50 of law.

51 (4) Subject to the provisions of s. 495.151, a chamber of  
52 commerce may sue any business entity that is not a chamber of  
53 commerce as defined in this section to enjoin such entity from  
54 using the term "chamber of commerce" in its name or to describe  
55 itself as a chamber of commerce in any business or commerce.

56 Section 2. This act shall take effect October 1, 2003.