



ENROLLED
HB 0525, Engrossed 1

2003 Legislature

A bill to be entitled

An act relating to use of the term "chamber of commerce"; creating s. 501.972, F.S.; providing definitions; prohibiting certain business entities from using the term "chamber of commerce" under certain circumstances; providing exceptions; providing a penalty; specifying nonimposition of certain requirements; authorizing chambers of commerce to sue certain business entities to enjoin use of certain terms; providing an effective date.

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

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

501.972 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 which:



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

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

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

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

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

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



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