

1 A bill to be entitled
 2 An act relating to the unauthorized use of the name or
 3 image of a member of the armed forces for business
 4 purposes; prohibiting a person from using the name or
 5 image of a member of the armed forces; providing
 6 exceptions; defining the term "member of the armed
 7 forces"; providing criminal penalties; providing an
 8 effective date.

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

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 12 Section 1. Unauthorized use of the name or image of a
 13 member of the armed forces prohibited.--

14 (1) (a) A person may not use the name or image of a member
 15 of the armed forces for the purpose of advertising for the sale
 16 of goods, wares, services, or merchandise, or for the
 17 solicitation of patronage by any business enterprise, except as
 18 provided in paragraph (b).

19 (b) A person may use the name or image of a member of the
 20 armed forces if the person obtains the prior consent of the
 21 member of the armed forces or, if the member is deceased, the
 22 prior consent of the surviving spouse, personal representative,
 23 or closest living relative by blood or marriage of the deceased.

24 (2) As used in this section, the term "member of the armed
 25 forces" means an officer or enlisted member of the Army, Navy,
 26 Air Force, Marine Corps, or Coast Guard of the United States,
 27 including the Florida National Guard and United States Reserve
 28 Forces, including any member who was killed in the line of duty.

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29 | (3) A person who violates paragraph (1)(a) commits a
30 | misdemeanor of the first degree, punishable as provided in s.
31 | 775.082 or s. 775.083, Florida Statutes.

32 | Section 2. This act shall take effect July 1, 2007.