

By Senator Atwater

25-174-07

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A bill to be entitled

An act relating to the unauthorized use of the name or image of a member of the armed forces for business purposes; prohibiting a person from using the name or image of a member of the armed forces; providing exceptions; defining the term "member of the armed forces"; providing criminal penalties; providing an effective date.

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

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

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

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

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

