## Florida Senate - 2007

By Senator Atwater

25-174-07 1 A bill to be entitled 2 An act relating to the unauthorized use of the name or image of a member of the armed forces 3 4 for business purposes; prohibiting a person 5 from using the name or image of a member of the б armed forces; providing exceptions; defining 7 the term "member of the armed forces"; 8 providing criminal penalties; providing an 9 effective date. 10 Be It Enacted by the Legislature of the State of Florida: 11 12 13 Section 1. Unauthorized use of the name or image of a member of the armed forces prohibited .--14 (1)(a) A person may not use the name or image of a 15 member of the armed forces for the purpose of advertising for 16 17 the sale of goods, wares, services, or merchandise, or for the 18 solicitation of patronage by any business enterprise, except as provided in paragraph (b). 19 20 (b) A person may use the name or image of a member of 21 the armed forces if the person obtains the prior consent of the member of the armed forces or, if the member is deceased, 22 23 the prior consent of the surviving spouse, personal representative, or closest living relative by blood or 2.4 marriage of the deceased. 25 (2) As used in this section, the term "member of the 26 27 armed forces" means an officer or enlisted member of the Army, 2.8 Navy, Air Force, Marine Corps, or Coast Guard of the United States, including the Florida National Guard and United States 29 Reserve Forces, including any member who was killed in the 30 line of duty. 31

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SB 116

(3) A person who violates paragraph (1)(a) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes. Section 2. This act shall take effect July 1, 2007. \*\*\*\*\*\* SENATE SUMMARY Prohibits a person from using the name or image of a member of the armed forces for business purposes. Provides exceptions. Defines the term "member of the armed forces." Provides criminal penalties. 

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