

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Seiler offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 387 and 388, insert:

5
6 Section 10. Section 501.973, Florida Statutes, is
7 created to read:

8 501.973 Chambers of commerce.--

9 (1) For the purposes of this section:

10 (a) "Business entity" means any corporation, partnership,
11 limited partnership, proprietorship, firm, enterprise,
12 franchise, association, self-employed individual, or trust,
13 whether fictitiously named or not, doing business in this state.

14 (b) "Chamber of commerce" means a voluntary membership,
15 dues-paying organization of business and professional persons
16 dedicated, as stated in the articles of incorporation or bylaws

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17 of the organization, to improving the economic climate and
18 business development of the community, area, or region in which
19 the organization is located and which:

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

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

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

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

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

43 (4) Subject to the provisions of s. 495.151, a chamber of
44 commerce may sue any business entity that is not a chamber of

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45 commerce as defined in this section to enjoin such entity from
46 using the term "chamber of commerce" in its name or to describe
47 itself as a chamber of commerce in any business or commerce.

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50 ===== T I T L E A M E N D M E N T =====

51 Remove line 41 and insert:

52

53 time certain; providing exceptions; creating s. 501.973, F.S. ;
54 providing definitions; prohibiting certain business entities
55 from using the term "chamber of commerce" under certain
56 circumstances; providing exceptions; providing a penalty;
57 specifying nonimposition of certain requirements; authorizing
58 chambers of commerce to sue certain business entities to enjoin
59 use of certain terms; providing an