

HB 1455

2010

1                   A bill to be entitled  
2           An act relating to misrepresentation of military status;  
3           amending s. 496.415, F.S.; prohibiting a person from  
4           falsely representing himself or herself as a member of, or  
5           as a person who represents, the United States Armed Forces  
6           or organized militia for the purpose of solicitation of  
7           charitable contributions or participation in a charitable  
8           or sponsor sales promotion; prohibiting a person from  
9           wearing the uniform of, or any medal or insignia  
10          authorized for use by members or veterans of, the United  
11          States Armed Forces or the organized militia with the  
12          intent to misrepresent himself or herself as a member or  
13          veteran of the United States Armed Forces or organized  
14          militia and for commercial purposes; providing criminal  
15          penalties; providing nonapplicability of the act to  
16          members of certain congressionally chartered veterans'  
17          organizations while engaged in planning, conducting, or  
18          executing a solicitation or charitable or sponsor sales  
19          promotion; providing an effective date.

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

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23           Section 1. Subsection (6) of section 496.415, Florida  
24           Statutes, is amended to read:

25           496.415 Prohibited acts.—It is unlawful for any person in  
26           connection with the planning, conduct, or execution of any  
27           solicitation or charitable or sponsor sales promotion to:

28           (6) Falsely state that he or she ~~the person~~ is a member of

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29 or a representative of a charitable organization or sponsor, or  
30 falsely state or represent that he or she ~~the person~~ is a member  
31 of or represents the United States Armed Forces, the organized  
32 militia, or a law enforcement or emergency service organization.

33 Section 2. (1) A person may not, with the intent to  
34 misrepresent himself or herself as a member or veteran of the  
35 United States Armed Forces or organized militia and for  
36 commercial purposes, wear the uniform of or any medal or  
37 insignia authorized for use by members or veterans of the United  
38 States Armed Forces or the organized militia.

39 (2) A person who violates subsection (1) commits a felony  
40 of the third degree, punishable as provided in s. 775.082, s.  
41 775.083, or s. 775.084, Florida Statutes.

42 Section 3. This act does not apply to members of veterans'  
43 organizations that are congressionally chartered under Title 36  
44 U.S.C. while the members are engaged in planning, conducting, or  
45 executing a solicitation or charitable or sponsor sales  
46 promotion.

47 Section 4. This act shall take effect October 1, 2010.