

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Steube offered the following:

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

4 Remove everything after the enacting clause and insert:

5 Section 1. (1) As used in this section, the term:

6 (a) "Business entity" means any corporation, partnership,
7 limited partnership, proprietorship, firm, enterprise,
8 franchise, association, individual, or trust, whether
9 fictitiously named or not, doing business in this state.

10 (b) "Veterans' organization" means a business entity whose
11 net earnings do not inure to the benefit of any private
12 shareholder or individual and that exists substantially for one
13 or more of the following purposes:

14 1. Promoting the social welfare of the community.

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15 2. Assisting disabled and needy war veterans and members
16 of the United States Armed Forces and their dependents, and the
17 widows and orphans of deceased veterans.

18 3. Providing entertainment, care and assistance to
19 hospitalized veterans or members of the United States Armed
20 Forces.

21 4. Carrying on programs to perpetuate the memory of
22 deceased veterans and members of the United States Armed Forces,
23 and to comfort their survivors.

24 5. Conducting programs for religious, charitable,
25 scientific, literary, or educational purposes.

26 6. Providing insurance benefits for their members or
27 dependents of their members or both.

28 7. Providing social and recreational activities for their
29 members.

30 8. The earnings of the organization are devoted to
31 charitable, religious, scientific, literary, educational, or
32 fraternal purposes.

33 (2) A business entity may not advertise or hold itself out
34 to the public as a veterans' organization or similar entity
35 unless the entity is a veterans' organization.

36 (3) A business entity that violates subsection (2)
37 violates the Florida Deceptive and Unfair Trade Practices Act
38 under part II of chapter 501, Florida Statutes.

39 (4) Consistent with part II of chapter 501, Florida
40 Statutes, a veterans' organization whose membership is limited
41 to past or present members of the United States Armed Forces,
42 individuals who are cadets or are spouses, widows, widowers,

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43 ancestors or lineal descendants of past or present members of
44 the United States Armed Forces or of cadets may bring an action
45 to obtain a declaratory judgment that a business entity is
46 violating this section and to enjoin the entity who has
47 violated, is violating, or is otherwise likely to violate this
48 section.

49 (5) A business entity that knowingly and intentionally
50 represents itself as a veterans' organization or similar
51 organization but that does not comply with subsection (2)
52 commits a misdemeanor of the first degree, punishable as
53 provided in s. 775.082 or s. 775.083, Florida Statutes.

54 Section 2. Subsection (1) of section 817.312, Florida
55 Statutes, is amended to read:

56 817.312 Unlawful use of uniforms, medals, or insignia.—

57 (1) A person may not misrepresent himself or herself as a
58 member or veteran of the United States Air Force, United States
59 Army, United States Coast Guard, United States Marine Corps,
60 United States Navy, or National Guard ~~or~~ and wear the uniform of
61 or any medal or insignia authorized for use by members or
62 veterans of the United States Air Force, United States Army,
63 United States Coast Guard, United States Marine Corps, United
64 States Navy, or the National Guard which he or she is not
65 authorized to wear while soliciting for charitable contributions
66 or for the purpose of material gain. This section does not
67 prohibit persons in the theatrical profession from wearing such
68 uniforms, medals, or insignia while actually engaged in such
69 profession.

70 Section 3. This act shall take effect July 1, 2013.

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to veterans' organizations; defining terms; prohibiting a business entity from advertising or holding itself out to the public as a veterans' organization or similar entity under certain circumstances; providing that an entity that violates the restrictions on advertising violates the Florida Deceptive and Unfair Trade Practices Act; authorizing certain veterans' organizations to enforce the prohibition against false advertising; providing for criminal penalties; amending s. 817.312, F.S.; prohibiting misrepresentation as a service member or veteran and wearing military or veterans' uniform, medal, or insignia; providing an effective date.