



699228

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/06/2013	.	
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The Committee on Military Affairs, Space, and Domestic Security  
(Dean) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(b) "Veteran" has the same meaning as in s. 1.01, Florida  
Statutes.

(c) "Veterans' organization" means an organization whose



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13 membership is limited to veterans and their families and which  
14 exists primarily to benefit veterans.

15 (2) Any veterans' organization that has reason to believe  
16 that a business entity that holds itself out as a veterans'  
17 organization does not in fact operate primarily for the  
18 financial benefit and moral support of veterans and their  
19 families may bring a civil action in a court of competent  
20 jurisdiction against the offending business entity to cease and  
21 desist its business practices while holding itself out as a  
22 veterans' organization. Upon an adverse adjudication, the court  
23 also may impose a civil penalty of up to \$500 and payment of  
24 court costs and reasonable attorney fees incurred by the  
25 plaintiff. In such an action, the defendant has the burden of  
26 proof to show clear and convincing evidence that it does in fact  
27 operate primarily for the financial benefit and moral support of  
28 veterans and their families.

29 (3) A business entity that knowingly and intentionally  
30 violates subsection (2) commits a misdemeanor of the first  
31 degree, punishable as provided in s. 775.082 or s. 775.083,  
32 Florida Statutes.

33 Section 2. This act shall take effect July 1, 2013.

34  
35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Delete everything before the enacting clause  
38 and insert:

39 A bill to be entitled  
40 An act relating to veterans' organizations; defining  
41 terms; prohibiting a business entity from holding



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42           itself out as a veterans' organization under certain  
43           circumstances; authorizing an affected  
44           veterans' organization to bring a civil action in a  
45           court of competent jurisdiction against the offending  
46           business entity; authorizing the court to impose a  
47           civil penalty of up to \$500 and payment of court costs  
48           and reasonable attorney fees; providing for criminal  
49           penalties; providing an effective date.