

By Senator Dean

5-00663-13

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1 A bill to be entitled
2 An act relating to veterans' organizations; defining
3 the terms "business entity," "veteran," and "veterans'
4 organization"; prohibiting a business entity from
5 holding itself out as a veterans' organization under
6 certain circumstances; providing for criminal
7 penalties; authorizing an affected party to bring a
8 civil action in a court of competent jurisdiction
9 against the offending business entity; authorizing the
10 court to impose a civil penalty of up to \$500 and
11 payment of court costs and reasonable attorney fees;
12 providing an effective date.

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

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

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

21 (b) "Veteran" has the same meaning as in s. 1.01.

22 (c) "Veterans' organization" means an organization whose
23 membership is limited to veterans and their families and which
24 exists primarily to benefit veterans.

25 (2) A business entity may not hold itself out as a
26 veterans' organization without the business entity proving by
27 clear and convincing evidence that it operates primarily for the
28 financial benefit and moral support of veterans and their
29 families.

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

33 (4) In addition to any other penalty or remedy provided by
34 law, an affected veterans' organization may bring a civil action
35 in a court of competent jurisdiction against the offending
36 business entity to cease and desist its business practices while
37 holding itself out as a veterans' organization. Upon an adverse
38 adjudication, the court may impose a civil penalty of up to \$500
39 and payment of court costs and reasonable attorney fees incurred
40 by the plaintiff.

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