

1                   A bill to be entitled  
 2           An act relating to use of the term "chamber of commerce";  
 3           creating s. 501.973, F.S.; providing definitions;  
 4           prohibiting certain business entities from using the term  
 5           "chamber of commerce" under certain circumstances;  
 6           providing exceptions; providing a penalty; specifying  
 7           nonimposition of certain requirements; authorizing  
 8           chambers of commerce to sue certain business entities to  
 9           enjoin use of certain terms; providing an effective date.

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

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 13           Section 1. Section 501.973, Florida Statutes, is  
 14           created to read:

15           501.973 Chambers of commerce.--

16           (1) For the purposes of this section:

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) "Chamber of commerce" means a voluntary membership,  
 22 dues-paying organization of business and professional persons  
 23 dedicated, as stated in the articles of incorporation or bylaws  
 24 of the organization, to improving the economic climate and  
 25 business development of the community, area, or region in which  
 26 the organization is located and which:

27           1. Operates as an approved not-for-profit corporation  
 28 under chapter 617 and as a corporation or association qualified

29 for tax exempt status under s. 501(c)(3) or s. 501(c)(6) of the  
 30 Internal Revenue Code of 1986, as amended.

31 2. Files any required corporation annual reports with the  
 32 Secretary of State and, if applicable, required annual  
 33 information returns with the United States Internal Revenue  
 34 Service.

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

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

46 (3) This section imposes no requirement for oversight or  
 47 regulation of a business entity name, trademark, trade name, or  
 48 other requirement for filing or registration under any provision  
 49 of law.

50 (4) Subject to the provisions of s. 495.151, a chamber of  
 51 commerce may sue any business entity that is not a chamber of  
 52 commerce as defined in this section to enjoin such entity from  
 53 using the term "chamber of commerce" in its name or to describe  
 54 itself as a chamber of commerce in any business or commerce.

55 Section 2. This act shall take effect October 1, 2007.