

By Senator Gelber

35-00966A-10

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1 A bill to be entitled
2 An act relating to misrepresentation of military
3 status; amending s. 496.415, F.S.; prohibiting a
4 person from falsely representing himself or herself as
5 a member of or representing the United States Armed
6 Forces or organized militia for the purpose of
7 solicitation of charitable contributions or
8 participation in a charitable or sponsor sales
9 promotion; prohibiting a person from wearing the
10 uniform of or any medal or insignia authorized for use
11 by members or veterans of the United States Armed
12 Forces or the organized militia with the intent to
13 misrepresent himself or herself as a member or veteran
14 of the United States Armed Forces or organized militia
15 and for commercial purposes; providing criminal
16 penalties; providing that the provisions of the act
17 which prohibit a person from falsely representing
18 himself or herself as a member of or representing the
19 United States Armed Forces or organized militia for
20 certain specified purposes do not apply to members of
21 certain congressionally chartered veterans'
22 organizations while engaged in planning, conducting,
23 or executing a solicitation or charitable or sponsor
24 sales promotion; providing an effective date.

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

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

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30 496.415 Prohibited acts.—It is unlawful for any person in
31 connection with the planning, conduct, or execution of any
32 solicitation or charitable or sponsor sales promotion to:

33 (6) Falsely state that the person is a member of or a
34 representative of a charitable organization or sponsor, or
35 falsely state or represent that the person is a member of or
36 represents the United States Armed Forces, the organized
37 militia, or a law enforcement or emergency service organization.

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

44 (2) A person who violates subsection (1) commits a felony
45 of the third degree, punishable as provided in s. 775.082, s.
46 775.083, or s. 775.084, Florida Statutes.

47 Section 3. This act does not apply to members of veterans'
48 organizations that are congressionally chartered under Title 36
49 U.S.C. while the members are engaged in planning, conducting, or
50 executing a solicitation or charitable or sponsor sales
51 promotion.

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