

By the Committee on Commerce; and Senator Gelber

577-02781-10

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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 the National Guard for the purpose of
7 solicitation of charitable contributions or
8 participation in a charitable or sponsor sales
9 promotion; creating s. 817.312, F.S.; prohibiting a
10 person from wearing the uniform of or any medal or
11 insignia authorized for use by members or veterans of
12 the United States Armed Forces or the National Guard
13 with the intent to misrepresent himself or herself as
14 a member or veteran of the United States Armed Forces
15 or the National Guard while soliciting for charitable
16 contributions; providing criminal penalties; providing
17 an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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

23 496.415 Prohibited acts.—It is unlawful for any person in
24 connection with the planning, conduct, or execution of any
25 solicitation or charitable or sponsor sales promotion to:

26 (6) Falsely state that he or she ~~the person~~ is a member of
27 or represents ~~a representative of~~ a charitable organization or
28 sponsor, or falsely state or represent that he or she ~~the person~~
29 is a member of or represents the United States Armed Forces, the

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30 National Guard, or a law enforcement or emergency service
31 organization.

32 Section 2. Section 817.312, Florida Statutes, is created to
33 read:

34 817.312 Unlawful use of uniforms, medals, or insignia.—

35 (1) A person may not misrepresent himself or herself as a
36 member or veteran of the United States Armed Forces or National
37 Guard and wear the uniform of or any medal or insignia
38 authorized for use by members or veterans of the United States
39 Armed Forces or the National Guard while soliciting for
40 charitable contributions.

41 (2) A person who violates subsection (1) commits a felony
42 of the third degree, punishable as provided in s. 775.082, s.
43 775.083, or s. 775.084.

44 Section 3. This act shall take effect October 1, 2010.