

Committee on Judiciary

CS/HB 103 — Subpoenas

by Civil Justice Subcommittee; Reps. Gottlieb and Fernandez-Barquin (SB 1002 by Senator Rodriguez)

The bill expands the methods by which a law enforcement officer may effect service of an investigative subpoena, court order, or search warrant on an out-of-state corporation that provides electronic communication services or remote computing services. As expanded, service of the documents may be had on the corporation's registered agent under the laws of the state in which service will be effected. The bill also states that out-of-state corporations doing business in Florida through the Internet may be served at any location where the corporation regularly accepts service.

The bill also specifies the means to enforce a subpoena on an in-state or out-of-state corporation that provides electronic communication services or remote computing services. If a corporation fails to comply with a properly-served subpoena, the bill allows a court, upon petition from the authority seeking the subpoena, to hold the non-complying corporation in indirect criminal contempt, and subject the entity to fines.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 40-0; House 117-0