

By Senator Margolis

35-543-07

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A bill to be entitled

An act relating to arrest powers; amending s. 27.255, F.S.; clarifying that an investigator who is a sworn law enforcement officer has full powers of arrest; authorizing investigators of state attorney offices to serve writs of bodily attachment under s. 61.11, F.S., when enforcing court-ordered support obligations; providing an effective date.

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

Section 1. Subsection (1) of section 27.255, Florida Statutes, is amended to read:

27.255 Investigators; authority to arrest, qualifications, rights, immunities, bond, and oath.--

(1) Each investigator who is a sworn law enforcement officer and employed on a full-time basis by a state attorney and each special investigator appointed by the state attorney pursuant to the provisions of s. 27.251 is ~~hereby~~ declared to be a law enforcement officer of the state and a conservator of the peace, under the direction and control of the state attorney who employs him or her, with full powers of arrest, in accordance with the laws of this state. Such investigator may arrest any person for violation of state law or applicable county or city ordinances when such violation occurs within the boundaries of the judicial circuit served by the state attorney employing the investigator, except that arrests may be made out of said judicial circuit when hot pursuit originates within said judicial circuit. Such investigator shall, within the boundaries of the judicial circuit served by

1 such state attorney, have full authority to serve any arrest
2 warrant, search warrant, capias, or court order issued by any
3 court or judge within such judicial circuit in a criminal
4 case, ~~or in connection with a criminal investigation,~~ or to
5 serve any writ of bodily attachment under s. 61.11, when the
6 same is directed to him or her. The investigator may serve,
7 anywhere within the state, a witness subpoena issued by any
8 court or judge within the state or issued in connection with a
9 criminal investigation that arises anywhere within the state,
10 provided that prior notice is given to the sheriff in whose
11 county service will be attempted; however, failure to provide
12 this notice to the sheriff does not affect the validity of the
13 service. The investigator may carry weapons on or about his or
14 her person in the same manner as other law enforcement
15 officers.

16 Section 2. This act shall take effect upon becoming a
17 law.

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20 SENATE SUMMARY

21 Authorizes investigators of state attorney offices to
22 serve writs of bodily attachment under s. 61.11, F.S.,
23 for purposes of enforcing a court-ordered support
24 obligation.
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