

By Senator Dean

5-00956A-15

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1                                   A bill to be entitled  
2       An act relating to service of process of witness  
3       subpoenas; amending s. 48.031, F.S.; providing that  
4       service of a subpoena on a witness in a civil traffic  
5       case may be made by United States mail directed to the  
6       witness at the last known address and that such  
7       service must be mailed before a specified period;  
8       providing an effective date.

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

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12           Section 1. Paragraph (a) of subsection (3) of section  
13   48.031, Florida Statutes, is amended to read:

14           48.031 Service of process generally; service of witness  
15   subpoenas.—

16           (3) (a) The service of process of witness subpoenas, whether  
17   in criminal cases or civil actions, shall be made as provided in  
18   subsection (1). However, service of a subpoena on a witness in a  
19   civil traffic case, a criminal traffic case, a misdemeanor case,  
20   or a second degree or third degree felony may be made by United  
21   States mail directed to the witness at the last known address,  
22   and the service must be mailed at least 7 days prior to the date  
23   of the witness's required appearance. Failure of a witness to  
24   appear in response to a subpoena served by United States mail  
25   that is not certified may not be grounds for finding the witness  
26   in contempt of court.

27           Section 2. This act shall take effect July 1, 2015.