

By Senator Diaz de la Portilla

40-00608-15

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1 A bill to be entitled

2 An act relating to international banking corporations;  
3 creating s. 663.021, F.S.; providing that specified  
4 entities of an international banking corporation are  
5 not required to produce certain books or records that  
6 are maintained outside the United States and are not  
7 available to the entities in response to a subpoena;  
8 providing applicability; providing that a request for  
9 production of certain books or records for a customer  
10 of an office of the international banking corporation  
11 which is established or maintained in a foreign  
12 country must be conducted pursuant to letters rogatory  
13 or in accordance with specified treaties or  
14 conventions; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 663.021, Florida Statutes, is created to  
19 read:

20 663.021 Civil action subpoena enforcement.-

21 (1) (a) Notwithstanding s. 655.059, an international  
22 representative office, international bank agency, international  
23 branch, international trust company representative office, or  
24 international administrative office is not required to produce a  
25 book or record pertaining to a deposit account, investment  
26 account, or loan of a customer of the international banking  
27 corporation in response to a subpoena if the book or record is  
28 maintained outside the United States and is not available to the  
29 international banking corporation's office, agency, or branch

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30 established in this state.

31 (b) This subsection applies only to a subpoena issued  
32 pursuant to the Florida Rules of Civil Procedure, the Federal  
33 Rules of Civil Procedure, or other similar law or rule of civil  
34 procedure in another state. This subsection does not apply to a  
35 subpoena issued by or on behalf of a federal, state, or local  
36 government law enforcement agency, administrative or regulatory  
37 agency, legislative body, or grand jury.

38 (2) Notwithstanding s. 48.193, a request for production of  
39 a book or record pertaining to a deposit account, investment  
40 account, or loan of a customer of an office of the international  
41 banking corporation which is established or maintained in a  
42 foreign country must be conducted pursuant to letters rogatory  
43 or in accordance with any applicable treaty and convention  
44 governing service of process entered into by the United States.

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