

CHAPTER 2014-69

Senate Bill No. 308

An act relating to public assistance fraud; amending s. 414.411, F.S.; authorizing the Department of Financial Services to administer oaths and affirmations and issue and serve subpoenas when conducting investigations into public assistance fraud; providing a penalty; providing for award of attorney fees and costs; providing an effective date.

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

Section 1. Subsection (2) of section 414.411, Florida Statutes, is amended to read:

414.411 Public assistance fraud.—

(2) When conducting an ~~In the conduct of such investigation pursuant to this section,~~ the Department of Financial Services may:

(a) Employ persons who have ~~having such~~ qualifications that as are useful in the performance of this duty.

(b) Administer oaths and affirmations.

(c) Issue and serve subpoenas for the attendance of witnesses or the production of business records, books, papers, correspondences, memoranda, and other records. Representatives designated by the department may serve the subpoenas. If a person refuses to obey a subpoena, the court that has jurisdiction in the geographical area where the inquiry is carried out or where the person who has refused the subpoena is found, resides, or transacts business may issue an order requiring compliance with the subpoena. Failure to obey the court order may be punished, civilly or criminally, by the court as contempt. The person refusing the subpoena is liable for costs, including reasonable attorney fees, incurred by the department to obtain an order granting, in whole or in part, a petition to enforce the subpoena.

Section 2. This act shall take effect July 1, 2014.

Approved by the Governor June 13, 2014.

Filed in Office Secretary of State June 13, 2014.