

By Senator Brandes

22-00467A-14

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1 A bill to be entitled
2 An act relating to public assistance fraud; amending
3 s. 414.411, F.S.; authorizing the Department of
4 Financial Services to administer oaths and
5 affirmations and issue and serve subpoenas when
6 conducting investigations into public assistance
7 fraud; providing a penalty; providing for award of
8 attorney fees and costs; 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. Subsection (2) of section 414.411, Florida
13 Statutes, is amended to read:

14 414.411 Public assistance fraud.—

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

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

20 (b) Administer oaths and affirmations.

21 (c) Issue and serve subpoenas for the attendance of
22 witnesses or the production of business records, books, papers,
23 correspondences, memoranda, and other records. Representatives
24 designated by the department may serve the subpoenas. If a
25 person refuses to obey a subpoena, the court that has
26 jurisdiction in the geographical area where the inquiry is
27 carried out or where the person who has refused the subpoena is
28 found, resides, or transacts business may issue an order
29 requiring compliance with the subpoena. Failure to obey the

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30 court order may be punished, civilly or criminally, by the court
31 as contempt. The person refusing the subpoena is liable for
32 costs, including reasonable attorney fees, incurred by the
33 department to obtain an order granting, in whole or in part, a
34 petition to enforce the subpoena.

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