

CS/HB 581 – Subpoenas in Investigations of Sexual Offenses

Creates s. 934.255, F.S., to prevent a subpoena recipient from disclosing the existence of the subpoena in certain investigations involving the sexual abuse of a child, without the need for a court order. It authorizes the use of a subpoena to obtain information pertaining to a subscriber or customer, other than contents of a communication, without notice to the subscriber or customer of an electronic communications service provider or remote computing service provider, and with prior or delayed notice, use a subpoena to obtain communication that was stored electronically for more than 180 days. The unlawful disclosure of the existence of a subpoena is punishable by the unranked, 3rd degree felony in s. 934.43, F.S.

Per DOC, in FY 16-17, no offenders were sentenced for criminal disclosure of a subpoena.

**CONFERENCE ADOPTED ESTIMATE AFTER FINAL
PASSAGE: Positive Insignificant**