

HB 41 -- SEARCH WARRANTS

SPONSOR: Dogan

This bill relates to search warrant procedures. In its main provisions the bill:

- (1) Requires that "no knock" search warrants of all types be issued only with reasonable suspicion that the perpetrator of a violent felony offense will escape or cause bodily harm to others;
- (2) Stipulates that searches are not reasonable if conducted without notice of purpose and authority by a peace officer unless the officer has a reasonable suspicion that the perpetrator of a violent felony offense will escape or cause bodily harm to others;
- (3) Declares that warrants authorizing searches in contradiction to the aforementioned requirements are invalid on their face and may be used only with notice and of a peace officers authority and purpose unless the peace officer has a reasonable suspicion that the perpetrator of a violent felony offense will escape or cause bodily harm to others;
- (4) Authorizes a motion to dismiss in cases where an invalid warrant is used or a search is conducted in violation of the requirement that there is a reasonable suspicion that the perpetrator of a violent felony offense will escape or cause bodily harm to others.

This bill has an emergency clause.

This bill is similar to SB 16 (2020) Special Session.