



AN ACT CLARIFYING THAT SEARCH WARRANT APPLICATIONS MAY BE SUBMITTED ELECTRONICALLY;
AMENDING SECTION 46-5-221, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-5-221, MCA, is amended to read:

"46-5-221. Grounds for search warrant. A judge shall issue a search warrant to a person upon application, in writing, ~~or~~ by telephone, or electronically, made under oath or affirmation, that:

- (1) states facts sufficient to support probable cause to believe that an offense has been committed;
- (2) states facts sufficient to support probable cause to believe that evidence, contraband, or persons connected with the offense may be found;
- (3) particularly describes the place, object, or persons to be searched; and
- (4) particularly describes who or what is to be seized."

Section 2. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
SB 0026, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2015.

Speaker of the House

Signed this _____ day
of _____, 2015.

SENATE BILL NO. 26
INTRODUCED BY N. SWANDAL
BY REQUEST OF THE DEPARTMENT OF JUSTICE

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