

HOUSE BILL 329

E2

1lr0733

(PRE-FILED)

By: **Delegates Cardin and Crutchfield**

Requested: September 25, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Warrants – Issuance**

3 FOR the purpose of prohibiting a judicial officer from issuing a warrant to enter a certain
4 residence unless the judicial officer finds a certain showing has been made; and
5 generally relating to warrants.

6 BY adding to

7 Article – Criminal Procedure

8 Section 1–204

9 Annotated Code of Maryland

10 (2018 Replacement Volume and 2020 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Criminal Procedure**

14 **1–204.**

15 **A JUDICIAL OFFICER MAY NOT ISSUE A WARRANT TO ENTER A RESIDENCE FOR**
16 **THE ARREST OF A SUSPECT UNLESS THE JUDICIAL OFFICER FINDS THERE IS AN**
17 **INDEPENDENT ARTICULATED CONNECTION OF THE SUSPECT TO THE RESIDENCE**
18 **DEMONSTRATING A CLEAR AND CONVINCING LIKELIHOOD THAT THE SUSPECT OR**
19 **CONTRABAND DIRECTLY RELATED TO THE SUSPECT WILL BE LOCATED AT THE**
20 **RESIDENCE.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2021.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

