

By Senator Gardiner

13-00422B-13

2013962

1 A bill to be entitled
2 An act relating to warrants; amending s. 901.02, F.S.;
3 providing that an arrest warrant is deemed
4 electronically issued and signed by a judge at the
5 time the judge affixes his or her electronic signature
6 to the warrant; defining the term "electronic
7 signature"; amending s. 933.07, F.S.; providing that a
8 search warrant is deemed electronically issued and
9 signed by a judge at the time the judge affixes his or
10 her electronic signature to the warrant; defining the
11 term "electronic signature"; providing an effective
12 date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Subsection (3) is added to section 901.02,
17 Florida Statutes, to read:

18 901.02 When warrant of arrest to be issued.—

19 (3) A judge may electronically issue an arrest warrant
20 based upon examination of an application and proof that it:

21 (a) Bears the affiant's electronic signature;

22 (b) Is supported by an oath or affirmation administered by
23 the judge or other person authorized by law to administer oaths;
24 and

25 (c) Is submitted by reliable electronic means.

26
27 A warrant shall be deemed to be electronically issued and signed
28 by a judge at the time the judge affixes his or her electronic
29 signature to the warrant. As used in this section, "electronic

13-00422B-13

2013962__

30 signature" has the meaning ascribed in s. 933.40(1)(d).

31 Section 2. Subsection (3) is added to section 933.07,
32 Florida Statutes, to read:

33 933.07 Issuance of search warrants.—

34 (3) A judge may electronically issue a search warrant based
35 upon examination of an application and proof that it:

36 (a) Bears the affiant's electronic signature;

37 (b) Is supported by an oath or affirmation administered by
38 the judge or other person authorized by law to administer oaths;
39 and

40 (c) Is submitted by reliable electronic means.

41
42 A warrant shall be deemed to be electronically issued and signed
43 by a judge at the time the judge affixes his or her electronic
44 signature to the warrant. As used in this section, "electronic
45 signature" has the meaning ascribed in s. 933.40(1)(d).

46 Section 3. This act shall take effect July 1, 2013.