



834904

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

Floor: 1a/AD/2R

03/06/2018 11:01 AM

Senator Brandes moved the following:

1 **Senate Amendment to Amendment (739040) (with title**
2 **amendment)**

3
4 Delete lines 210 - 224

5 and insert:

6 b. Requires real-time location tracking before a warrant
7 authorizing such tracking can, with due diligence, be obtained;
8 and

9 2. There are grounds upon which a warrant could be issued
10 under this chapter to authorize such tracking,
11



834904

12 may engage in real-time location tracking if, within 48 hours
13 after the tracking has occurred or begins to occur, a warrant
14 approving the tracking is issued in accordance with this
15 section.

16 (b) In the absence of an authorizing warrant, such tracking
17 must immediately terminate when the information sought is
18 obtained, when the application for the warrant is denied, or
19 when 48 hours have lapsed since the tracking began,

20
21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 Delete lines 257 - 285

24 and insert:

25 to be included in the application; providing that the
26 court, if it finds probable cause and finds the
27 required statements in the application, must grant a
28 warrant; specifying the warrant may authorize real-
29 time location tracking or acquisition of historical
30 location data; providing the warrant may authorize the
31 use of the mobile tracking device as specified;
32 requiring the warrant to command the officer to
33 complete any installation authorized by the warrant
34 within a certain timeframe; providing requirements for
35 the return of the warrant to the judge and service of
36 a copy of the warrant on the person who was tracked or
37 whose property was tracked; specifying how a warrant
38 authorizing historical location data must be returned
39 and served; authorizing a court, for good cause, to
40 postpone the notice requirement for a specified time



834904

41 period; deleting the definition of "tracking device";
42 requiring that the standards established by Florida
43 courts for the installation, use, or monitoring of
44 mobile tracking devices and the acquisition of
45 location data apply to the installation, use, or
46 monitoring of any devices and the acquisition of
47 location data as authorized; authorizing any
48 investigative or law enforcement officer who is
49 specially designated by certain persons and who makes
50 specified determinations to engage in real-time
51 location tracking if a warrant is later obtained as
52 specified; provides requirements for engaging in
53 real-time location tracking; specifying when real-time
54 location tracking must terminate;