

By Senator Powell

30-01214-21

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1                   A bill to be entitled  
2       An act relating to no-knock search warrants; creating  
3       s. 933.102, F.S.; providing a definition; requiring  
4       that no-knock search warrants only be issued in  
5       compliance with specified provisions; prohibiting the  
6       issuing of such search warrants for investigations of  
7       misdemeanor offenses; providing requirements for  
8       issuance of such warrants; providing an effective  
9       date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13       Section 1. Section 933.102, Florida Statutes, is created to  
14 read:

15       933.102 No-knock search warrants.-

16       (1) For the purposes of this section, the term "no-knock  
17 search warrant" means a search warrant served by entry without  
18 prior identification.

19       (2) A search warrant may not be served by entry without  
20 prior identification unless a no-knock search warrant has been  
21 issued in compliance with this section. Such a warrant may not  
22 be issued for investigation of a misdemeanor offense.

23       (3) A no-knock search warrant may be issued only if the  
24 affidavit for such warrant:

25       (a) Complies with the requirements of this chapter.

26       (b) Specifically requests the issuance of a no-knock search  
27 warrant.

28       (c)1. Has been reviewed and approved personally by the head  
29 of the law enforcement agency requesting the warrant, who

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30 certifies that:

31 a. Such a warrant is the only way to get the items sought  
32 in the warrant.

33 b. It is the safest course of action for officers serving  
34 the warrant.

35 c. There is an extremely limited likelihood that innocent  
36 individuals may be harmed.

37 2. Such review and approval may take place as allowed by  
38 statute or court rule or by means of facsimile transmission,  
39 telephonic transmission, or other electronic transfer.

40 (4) If the grounds for the issuance of a no-knock search  
41 warrant are established by a confidential informant, the  
42 affidavit for such warrant shall contain a statement by the  
43 affiant concerning when such grounds became known or were  
44 verified by the affiant. The statement shall not identify the  
45 confidential informant.

46 Section 2. This act shall take effect July 1, 2021.