

CS/HB 359

2026

A bill to be entitled
An act relating to search warrants; amending s. 933.02, F.S.; authorizing a search warrant to be issued to recover a deceased body; amending s. 933.05, F.S.; revising the time within which certain search warrants must be returned to the court; specifying the time period within which a search warrant issued for certain devices is considered timely executed; specifying that a law enforcement agency may review data or information contained in certain devices after specified periods if the devices were timely seized; providing definitions; amending s. 933.07, F.S.; providing that a judge may authorize a law enforcement officer applying for a search warrant to appear remotely; defining the term "audio-video communication technology"; creating s. 934.025, F.S.; providing that a judge may authorize a law enforcement officer applying for a search warrant or court order to appear remotely; defining the term "audio-video communication technology"; amending s. 934.50, F.S.; authorizing a law enforcement agency to obtain a search warrant to use a drone to conduct a search in certain circumstances; providing an effective date.

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

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27 **Section 1. Subsection (6) is added to section 933.02,**
28 **Florida Statutes, to read:**

29 933.02 Grounds for issuance of search warrant.—Upon proper
30 affidavits being made, a search warrant may be issued under the
31 provisions of this chapter upon any of the following grounds:

32 (6) To recover a deceased body.

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34 This section also applies to any papers or documents used as a
35 means of or in aid of the commission of any offense against the
36 laws of the state.

37 **Section 2. Section 933.05, Florida Statutes, is amended to**
38 **read:**

39 933.05 Issuance and return of search warrants; issuance in
40 blank prohibited.—

41 (1) A search warrant cannot be issued except upon probable
42 cause supported by affidavit or affidavits, naming or describing
43 the person, place, or thing to be searched and particularly
44 describing the property or thing to be seized.⁷ A no search
45 warrant may not shall be issued in blank.⁷

46 (2) A search and any such warrant must shall be returned
47 within 10 days after issuance, not including the date of
48 issuance thereof, except that a search warrant issued:

49 (a) To an out-of-state provider for electronic
50 communications data as described in s. 934.23 must be returned

51 within 20 days.

52 (b) To search for and seize specimens from a specific
53 person for DNA analysis and comparison, including blood and
54 saliva samples, or to seize specimens pursuant to s. 943.325 for
55 entry into the DNA database must be returned within 30 days.

56 (c) For a computer, a computer system, or an electronic
57 device, as those terms are defined in s. 815.03, must be
58 returned within 365 days that is in the actual possession of a
59 law enforcement agency at the time such warrant is issued shall
60 be returned to the court within 45 days after issuance thereof.

61 (3) If a search warrant is issued to search for and seize
62 data or information contained in a computer, computer system, or
63 electronic device, such warrant is considered timely executed if
64 the computer, computer system, or electronic device was seized
65 by a law enforcement agency within 10 days of the issuance of
66 the search warrant, not including the date of issuance.

67 (4) This section does not require a law enforcement agency
68 to complete the analysis or review of data or information
69 contained in a computer, computer system, or electronic device
70 within the period provided in subsection (2) if such computer,
71 computer system, or electronic device was timely seized by a law
72 enforcement agency under subsection (3).

73 (5) For purposes of this section, the terms "computer,"
74 "computer system," and "electronic device" have the same meaning
75 as in s. 815.03.

76 **Section 3. Subsection (5) is added to section 933.07,**
77 **Florida Statutes, and subsection (1) of that section is**
78 **republished, to read:**

79 933.07 Issuance of search warrants.—

80 (1) The judge, upon examination of the application and
81 proofs submitted, if satisfied that probable cause exists for
82 the issuing of the search warrant, shall thereupon issue a
83 search warrant signed by him or her with his or her name of
84 office, to any sheriff and the sheriff's deputies or any police
85 officer or other person authorized by law to execute process,
86 commanding the officer or person forthwith to search the
87 property described in the warrant or the person named, for the
88 property specified, and to bring the property and any person
89 arrested in connection therewith before the judge or some other
90 court having jurisdiction of the offense.

91 (5) A judge may authorize a law enforcement officer
92 applying for a search warrant under subsection (1) to appear
93 remotely using audio-video communication technology. As used in
94 this section, the term "audio-video communication technology"
95 has the same meaning as in s. 117.201.

96 **Section 4. Section 934.025, Florida Statutes, is created**
97 **to read:**

98 934.025 Search warrants and court orders; remote
99 appearance authorized.—A judge may authorize a law enforcement
100 officer applying for a search warrant or court order pursuant to

101 this chapter to appear remotely using audio-video communication
102 technology. As used in this section, the term "audio-video
103 communication technology" has the same meaning as in s. 117.201.

104 **Section 5. Paragraph (b) of subsection (4) of section**

105 **934.50, Florida Statutes, is amended to read:**

106 934.50 Searches and seizure using a drone.—

107 (4) EXCEPTIONS.—This section does not prohibit the use of
108 a drone:

109 (b) If the law enforcement agency first obtains a search
110 warrant signed by a judge authorizing the use of a drone,
111 including, but not limited to, a search warrant authorizing a
112 law enforcement agency to search an area or areas where evidence
113 that a crime was committed might reasonably be found.

114 **Section 6.** This act shall take effect July 1, 2026.