

By the Committee on Rules; and Senator Yarborough

595-02935-26

2026442c1

1                   A bill to be entitled  
2       An act relating to search warrants; amending s.  
3       933.02, F.S.; authorizing a search warrant to be  
4       issued to recover a deceased body; amending s. 933.05,  
5       F.S.; revising the time within which certain search  
6       warrants must be returned to the court; specifying the  
7       time period within which a search warrant issued for  
8       certain devices is considered timely executed;  
9       specifying that a law enforcement agency may review  
10      data or information contained in certain devices after  
11      specified periods if the devices were timely seized;  
12      providing definitions; amending s. 933.07, F.S.;  
13      providing that a judge may authorize a law enforcement  
14      officer applying for a search warrant to appear  
15      remotely; defining the term "audio-video communication  
16      technology"; creating s. 934.025, F.S.; providing that  
17      a judge may authorize a law enforcement officer  
18      applying for a search warrant or court order to appear  
19      remotely; defining the term "audio-video communication  
20      technology"; amending s. 934.50, F.S.; authorizing a  
21      law enforcement agency to obtain a search warrant to  
22      use a drone to conduct a search in certain  
23      circumstances; providing an effective date.

24  
25   Be It Enacted by the Legislature of the State of Florida:

26  
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

595-02935-26

2026442c1

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.

33  
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. ~~A~~ ~~no~~ search  
45 warrant ~~may not shall~~ be issued in blank.

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 must be returned within 365 days, ~~as those terms are~~  
58 ~~defined in s. 815.03, that is in the actual possession of a law~~

595-02935-26

2026442c1

59 ~~enforcement agency at the time such warrant is issued shall be~~  
60 ~~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

595-02935-26

2026442c1

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 to  
97 read:

98 934.025 Search warrants and court orders; remote appearance  
99 authorized.—A judge may authorize a law enforcement officer  
100 applying for a search warrant or court order pursuant to this  
101 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 a  
108 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.