

House Bill 233

By: Representatives Beverly of the 143rd, Boddie of the 62nd, Smyre of the 135th, Schofield of the 60th, Mainor of the 56th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 17 of the Official Code of Georgia Annotated,
2 relating to searches with warrants, so as to prohibit the use of no-knock search warrants; to
3 provide for definitions; to change provisions relating to the issuance of search warrants; to
4 provide for related matters; to provide for an effective date and applicability; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 5 of Title 17 of the Official Code of Georgia Annotated, relating to
9 searches with warrants, is amended in Code Section 17-5-21, relating to grounds for issuance
10 of search warrants and scope of search pursuant to a search warrant, by adding a new
11 subsection to read as follows:

12 "(e)(1) As used in this subsection, the term 'no-knock provision' means a provision in a
13 search warrant that authorizes the executing officer to enter without giving audible,
14 verbal notice of such officer's presence, authority, and purpose.

15 (2) No search warrant shall be issued which contains a no-knock provision."

16 **SECTION 2.**

17 This Act shall become effective upon its approval by the Governor or upon its becoming law
18 without such approval and shall apply to all search warrants issued on or after such date.

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.