

2024 -- H 7302

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS

Introduced By: Representatives Hull, Solomon, Cardillo, Azzinaro, Biah, and Phillips

Date Introduced: January 26, 2024

Referred To: House Judiciary

(Dept. of Public Safety)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 12-5 of the General Laws entitled "Search Warrants" is hereby
2 amended by adding thereto the following section:

3 **12-5-11. Warrant for a tracking device.**

4 (a) For purposes of this section, a "tracking device" means an electronic or mechanical
5 device which permits the tracking or the movement of a person or object.

6 (b) A warrant for the installation and use of a tracking device shall state the date and times
7 of its issuance and the grounds or probable cause for its issuance and shall command the law
8 enforcement officer to complete the installation of the device within a specific period not later than
9 ten (10) days after the date of its issuance. The warrant for a tracking device must identify the
10 person or property to be tracked and specify a reasonable length of time that the device may be
11 installed. The time must not exceed fifteen (15) days from the date the warrant was issued. The
12 court may, for good cause, grant one or more extensions for a reasonable period not to exceed
13 fifteen (15) days each.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would dictate the length a search warrant involving a tracking device would be
- 2 valid and provide a process to extend the time frame of the tracking device usage for good cause.
- 3 This act would take effect upon passage.

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