

808.8 Return.

A search warrant shall be executed within ten days from its date; failure to execute within that period shall void the warrant. Property seized and its containers, if any, shall be safely kept by the officer, and incident thereto:

1. Upon such seizure the officer shall furnish an itemized receipt for such property to the person from whom taken or in whose possession it was found, if such person can be located, or a copy of the inventory may be left on the premises searched.

2. The officer must file, with the officer's return, a complete inventory of the property taken with the magistrate or clerk of the district court, including a sworn statement that it is accurate to the best of the officer's knowledge. The magistrate or clerk of the district court must, if requested, deliver a copy of the inventory of seized property to the person from whose possession it was taken and to the applicant for the warrant.

[C51, §3299 – 3302; R60, §1565, 5036 – 5039; C73, §1544, 4641 – 4644; C97, §2413, 2415, 5556 – 5559; SS15, §2413, 2415; C24, 27, 31, §1581, 1971, 13429 – 13432; C35, §13441-g12-15; C39, §13441.12 – 13441.15; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §751.12 – 751.15; C79, 81, §808.8]

[2017 Acts, ch 37, §7, 9](#); [2020 Acts, ch 1121, §114, 115](#)

Forms, see [R.Cr.P. 2.36](#)

See Code editor's note on simple harmonization at the beginning of this Code volume

Amendments to subsection 2 by [2017 Acts, ch 37, §7](#), and [2020 Acts, ch 1121, §114](#), effective November 4, 2024; [2017 Acts, ch 37, §9](#);
[2020 Acts, ch 1121, §115](#)

Subsection 2 amended