

March 25, 1969
Passed on File
Law Enforcement 4-30

SENATE FILE 555

By COMMITTEE ON LAW
ENFORCEMENT

Passed Senate, Date *4-28-69* Passed House, Date *5-19-69*

Vote: Ayes *58* Nays *0* Vote: Ayes *97* Nays *4*

Approved

A BILL FOR

- 1 An Act relating to the issuance of search warrants.
- 2 *Be It Enacted by the General Assembly of the State of Iowa:*
- 3 Section 1. Section seven hundred fifty-one point three
- 4 (751.3), Code 1966, is hereby amended as follows:
- 5 1. By striking from lines seven (7) and eight (8) the
- 6 word "felony" and inserting in lieu thereof the words
- 7 "public offense".
- 8 2. By striking all of subsection nine (9) and inserting
- 9 in lieu thereof the following:
- 10 "For any other property relevant and material as evidence
- 11 in a criminal prosecution."

EXPLANATION OF SENATE FILE 555

The purpose of this bill is to expand the permissible use of search warrants to include property used in the commission of "public offenses" not classed as "felonies" as is currently provided, and for property which is relevant as evidence in a criminal prosecution.

1 Amend Senate File 555 by adding the following new section
2 thereto:

3 "Sec. 2. Section seven hundred fifty-one point four (751.4),
4 Code of Iowa, is hereby amended by inserting in line 16 after the
5 word, "property" the following:

6 "If the magistrate thereafter issues the search warrant, he
7 shall indorse on the application the names and addresses of all per-
8 sons upon whose sworn testimony he relied to issue such warrant to-
9 gether with an abstract of such witnesses' testimony. However, if
10 the grounds for issuance is supplied by an informant, the magistrate
11 shall only identify the peace officer to whom the information was
12 given and that he finds that such informant had previously given
13 reliable information."

Filed - *Adopted 4-28*
April 4, 1969

By GAUDINEER