

CHAPTER 560

(House Bill 577)

AN ACT concerning

Criminal Procedure - "No-Knock" Warrants - Authority

FOR the purpose of allowing an application for a search warrant to contain a request that the search warrant authorize the executing law enforcement officer to enter the building, apartment, premises, place, or thing to be searched without giving notice of the officer's authority or purpose; providing grounds for the request; allowing a search warrant to authorize a certain law enforcement officer to enter a certain building, apartment, premises, place, or thing without giving a certain notice, under certain circumstances; providing for the application of this Act; and generally relating to search warrants.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 1-203(a)

Annotated Code of Maryland

(2001 Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Procedure

1-203.

(a) (1) A circuit court judge or District Court judge may issue forthwith a search warrant whenever it is made to appear to the judge, by application as described in paragraph (2) of this subsection, that there is probable cause to believe that:

(i) a misdemeanor or felony is being committed by a person or in a building, apartment, premises, place, or thing within the territorial jurisdiction of the judge; or

(ii) property subject to seizure under the criminal laws of the State is on the person or in or on the building, apartment, premises, place, or thing.

(2) (I) An application for a search warrant shall be:

[(i)] 1. in writing;

[(ii)] 2. signed and sworn to by the applicant; and

[(iii)] 3. accompanied by an affidavit that:

[1.] A. sets forth the basis for probable cause as described in paragraph (1) of this subsection; and