

SENATE BILL NO. 1016

July 22, 2020, Introduced by Senator LUCIDO and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1966 PA 189, entitled

"An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,"

by amending section 6 (MCL 780.656).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. **(1)** The officer to whom a warrant is directed, or any
2 person assisting him ~~may~~ **or her, shall, before entering the**
3 **premises, identify himself or herself and give appropriate notice**
4 **of his or her authority to conduct and the purpose of the search to**

1 the person to be searched, or to the person in apparent control of
2 the premises to be searched.

3 (2) An officer may only break any outer or inner door or
4 window of a house or building, or anything therein, in order to
5 execute the warrant, if, after ~~notice of his authority and purpose,~~
6 fulfilling the requirements under subsection (1), he or she is
7 refused admittance ~~, or when~~ into the premises to be searched.

8 (3) Evidence that is obtained in violation of this section is
9 inadmissible for any purpose.

10 (4) Subsections (1) and (2) do not apply if the breaking of an
11 outer or inner door or window of a house or building, or anything
12 therein, is necessary for a law enforcement officer to liberate
13 himself or herself or any person assisting him or her in execution
14 of the warrant from the premises subject to search.