

SENATE BILL NO. 336

May 29, 2025, Introduced by Senators GEISS, ANTHONY, CHANG, SANTANA, IRWIN, MCMORROW, BAYER, SHINK, CAVANAGH and CAMILLERI and referred to Committee on Civil Rights, 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~~ Except as otherwise provided in subsection (3)
2 or (4), the law enforcement officer to whom a warrant is directed,
3 or ~~any person~~ an individual assisting him, the law enforcement
4 officer, shall do both of the following procedures:
5 (a) Announce the law enforcement officer's identity and

1 purpose.

2 (b) Wait a reasonable period of time before attempting
3 forcible entry into a house or building when executing a warrant.

4 (2) If after complying with the procedures required under
5 subsection (1) the law enforcement officer is not granted
6 admittance, the law enforcement officer may break any outer or
7 inner door or window of a house or building, or anything ~~therein,~~
8 ~~in the house or building,~~ in order to execute the warrant, ~~if,~~
9 ~~after notice of his authority and purpose, he is refused~~
10 ~~admittance, or when or if necessary to liberate himself the law~~
11 ~~enforcement officer~~ or any ~~person individual~~ assisting ~~him the law~~
12 ~~enforcement officer~~ in execution of the warrant.

13 (3) Entry into a house or building without complying with
14 subsection (1) is permitted if the law enforcement officer to whom
15 a warrant is directed has reasonable cause to believe 1 or more of
16 the following circumstances apply:

17 (a) There exists imminent danger to the life of the executing
18 law enforcement officer or another individual.

19 (b) Evidence indicates that an individual present at the
20 location where the warrant is to be executed is aware that law
21 enforcement officers are at the location.

22 (c) Announcing identity and purpose of the law enforcement
23 officer before entering would inhibit the investigation of a crime.

24 (4) If at the time the affidavit and application for a warrant
25 is presented to the judge or district court magistrate the law
26 enforcement officer possesses knowledge that 1 or more of the
27 circumstances under subsection (3) exist at the location to be
28 searched, the law enforcement officer shall include the information
29 in the affidavit and shall seek authorization to enter without

1 complying with subsection (1). If this subsection applies, the law
2 enforcement officer shall also include in the affidavit, to the
3 extent known, all of the following:

4 (a) A list of all known occupants of the location to be
5 searched.

6 (b) Notation of any known disabilities of known occupants of
7 the location.

8 (c) Notation of animals known to occupy the location.

9 (5) If authorization for entry without complying with
10 subsection (1) is sought under subsection (4), unless execution
11 during a different period of time is requested in the warrant
12 application and authorized in the warrant, entry without complying
13 with subsection (1) may only be made between the hours of 8 a.m.
14 and 6 p.m.

15 (6) A law enforcement officer engaged in the forcible entry of
16 a dwelling or building during the execution of a warrant must be in
17 uniform or otherwise be clearly recognizable as a law enforcement
18 officer.

19 (7) As used in this section "reasonable period of time" means
20 a period of time that, under the totality of the circumstances
21 known to the law enforcement officer, reasonably affords an
22 occupant of the dwelling or building an opportunity to grant
23 admittance to the law enforcement officer, taking into account the
24 period of time it would take an occupant to destroy evidence.

25 Enacting section 1. This amendatory act takes effect 90 days
26 after the date it is enacted into law.