_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: “AN ACT GENERALLY REVISING CRIMINAL PROCEDURE LAWS; REQUIRING A SEARCH WARRANT TO BE EXHIBITED TO A KNOWN LAWFUL OCCUPANT OF A PROPERTY TO BE SEARCHED; AMENDING SECTION 46-5-227, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-5-227, MCA, is amended to read:

"**46-5-227. Service and return of search warrant.** Service of a search warrant is made by exhibiting the original warrant or a duplicate original warrant at the place to be searched, ~~or~~ to the person to be searched, or to a known lawful occupant of a property to be searched. The officer taking property under the warrant shall give to the person from whom or from whose premises the property is taken a copy of the search warrant and a receipt for the property taken or shall leave the copy and receipt at the place from which the property was taken. Failure to leave a copy and receipt may not render the property seized inadmissible at trial."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

- END -