

RÉSUMÉ DIGEST

ACT 341 (SB 68)

2019 Regular Session

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Prior law provided that a search warrant cannot be lawfully executed after the expiration of the 10th day after its issuance.

New law provides an exception to prior law for data or information contained on an electronic device. New law provides that if a search warrant is issued to search for and seize data or information contained in or on a computer, disk drive, flash drive, cellular telephone, or other electronic, communication, or data storage device, the warrant is considered to have been executed within the 10-day period allowed by prior law if the device was seized before the expiration of the 10-day period, or if the device was in law enforcement custody at the time of the issuance of the warrant. New law further provides that if the electronic device was seized before the expiration of the 10-day period, or if the device was in law enforcement custody at the time of the issuance of the warrant, any data or information contained in or on the device may be recovered or extracted at any time pursuant to the warrant.

Effective August 1, 2019.

(Amends C.Cr.P. Art. 163(C); adds C.Cr.P. Art. 163(E))