

24 that evidence will be easily or quickly destroyed, or there is reason to believe giving notice will
25 endanger the officer or another person;

26 ▶ requires law enforcement officers to use the least amount of force necessary when
27 executing forcible entry, as authorized; and

28 ▶ providing an effective date.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 This bill takes effect on July 1, 2014.

33 **Utah Code Sections Affected:**

34 AMENDS:

35 77-7-8, as last amended by Laws of Utah 2003, Chapter 29

36 77-23-210, as last amended by Laws of Utah 2007, Chapter 153



38 *Be it enacted by the Legislature of the state of Utah:*

39 Section 1. Section 77-7-8 is amended to read:

40 **77-7-8. Forcible entry to conduct search or make arrest -- Conditions requiring a**
41 **warrant.**

42 (1) (a) Subject to Subsection (2), a peace officer when making an arrest may forcibly
43 enter the building in which the person to be arrested is, or in which there [~~are reasonable~~
44 ~~grounds~~] is probable cause for believing him to be.

45 (b) Before making the forcible entry, the officer shall:

46 (i) identify himself or herself as a law enforcement officer; and

47 (ii) demand admission and explain the purpose for which admission is desired.

48 (c) (i) The officer need not give a demand and explanation, or identify himself or
49 herself, before making a forcible entry under the exceptions in [Section] Subsection

50 77-7-6 ~~H~~→ [(1)(a)] ←~~H~~ or where there is [reason] probable cause to believe evidence will
50a be easily or

51 quickly secreted or destroyed.

52 (ii) The officer shall identify himself or herself and state the purpose of entering the
53 premises as soon as practicable after entering the premises.

54 (d) The officer may use only that force which is reasonable and necessary to effectuate