

H.B. 70

FORCIBLE ENTRY AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 7, 2014 6:20 PM

Representative **Marc K. Roberts** proposes the following amendments:

1. *Page 1, Lines 24 through 27:*

24 • ~~{-explain-}~~ demonstrate why law enforcement officials cannot use less invasive or
25 confrontational methods to effectuate the necessary search or arrest; and
26 ~~{-explain why the search or arrest cannot be executed during the day, if it is to be~~
27 ~~executed at night, as defined; and-}~~

2. *Page 2, Line 53:*

53 (c) (i) The officer need not give a demand and explanation , or identify himself or herself, before
making a forcible

3. *Page 3, Line 69:*

69 (3) A judge or magistrate issuing a warrant pursuant to Subsection (2) shall ~~{-ensure-}~~ make a
finding that

4. *Page 3, Lines 71 through 76:*

71 (a) ~~{-explains-}~~ demonstrates why law enforcement officers are unable to detain the suspect or
search the
72 residence using less invasive or confrontational methods; and
73 ~~{(b) explains why the warrant cannot be executed during daylight hours, if the warrant is~~
74 ~~to be executed at night, which is the time between one hour after sunset on one day and one~~
75 ~~hour before sunrise on the following day; and-}~~
76 ~~{(c)}~~ (b) describes: