



General Assembly

February Session, 2002

Raised Bill No. 5521

LCO No. 1182

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING SEARCH WARRANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-33a of the general statutes, as amended by
2 section 2 of public act 01-72, is repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2002*):

4 (a) As used in sections 54-33a to 54-33g, inclusive, as amended,
5 "property" includes, without limitation, documents, books, papers,
6 films, recordings and any other tangible thing.

7 (b) Upon complaint on oath by any state's attorney or assistant
8 state's attorney or by any two credible persons, to any judge of the
9 Superior Court or judge trial referee, that such state's attorney or
10 assistant state's attorney or such persons have probable cause to
11 believe that any property (1) possessed, controlled, designed or
12 intended for use or which is or has been used or which may be used as
13 the means of committing any criminal offense; or (2) which was stolen
14 or embezzled; or (3) which constitutes evidence of an offense, or that a
15 particular person participated in the commission of an offense, is
16 within or upon any place, thing or person, such judge or judge trial

17 referee, except as provided in section 54-33j, may issue a warrant
18 commanding a proper officer to enter into or upon such place or thing,
19 search the same or the person and take into such officer's custody all
20 such property named in the warrant.

21 (c) A warrant may issue only on affidavit sworn to by the
22 complainant or complainants before the judge or judge trial referee
23 and establishing the grounds for issuing the warrant, which affidavit
24 shall be part of the arrest file. If the judge or judge trial referee is
25 satisfied that grounds for the application exist or that there is probable
26 cause to believe that they exist, the judge or judge trial referee shall
27 issue a warrant identifying the property and naming or describing the
28 person, place or thing to be searched. The warrant shall be directed to
29 any police officer of a regularly organized police department or any
30 state [~~policeman~~] police officer, to an inspector in the Division of
31 Criminal Justice or to a conservation officer, special conservation
32 officer or patrolman acting pursuant to section 26-6. The warrant shall
33 state the date and time of its issuance and the grounds or probable
34 cause for its issuance and shall command the officer to search within a
35 reasonable time the person, place or thing named, for the property
36 specified. The inadvertent failure of the issuing judge or judge trial
37 referee to state on the warrant the time of its issuance shall not in and
38 of itself invalidate the warrant.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

Statement of Purpose:

To authorize an inspector in the Division of Criminal Justice to serve and execute a search warrant.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]