

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 1001

By: Jett

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6 AS INTRODUCED

7 An Act relating to search warrants; amending 22 O.S.  
8 2011, Section 1223, which relates to probable cause;  
9 prohibiting issuance of search warrant under certain  
10 circumstances; clarifying application; and providing  
11 an effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 22 O.S. 2011, Section 1223, is  
14 amended to read as follows:

15 Section 1223. A. A search warrant shall not be issued except  
16 upon probable cause, supported by affidavit, naming or describing  
17 the person, and particularly describing the property and the place  
18 to be searched.

19 B. For the enforcement of any lawful order, policy or law  
20 restricting the gathering of people during a declared pandemic, no  
21 search warrant shall be issued on a finding of probable cause based  
22 solely on the number of motor vehicles parked around or upon the  
23 premises of a private residence. The provisions of this subsection  
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1 shall not prohibit the execution of a valid search warrant or limit  
2 the authority of a peace officer to enforce any other law.

3 SECTION 2. This act shall become effective November 1, 2021.  
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