

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO CRIMINAL PROCEDURE - SEARCH WARRANTS

Introduced By: Senators Morgan, Kettle, Gee, and Raptakis

Date Introduced: March 29, 2017

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-5-10 of the General Laws in Chapter 12-5 entitled "Search  
2 Warrants" is hereby amended to read as follows:

3 **12-5-10. Electronic communication services.**

4 (a) Based on probable cause, a warrant may be issued to corporations located outside the  
5 state of Rhode Island that provide electronic communication services to the general public in  
6 connection with any communications sent to or received by customers or recipients located in  
7 Rhode Island. The warrant may require the provision of customer identity, data stored by or on  
8 behalf of the customer, the customer's usage of those services, the recipient or destination of  
9 communications sent to or from those customers, or the content of those communications.

10 (b) Any warrant issued under this section shall be honored within the state of Rhode  
11 Island and also in any foreign jurisdiction which has any law in place providing for the honoring  
12 of such warrants.

13 (c) The warrant issued shall be limited to the information sought as set forth in subsection  
14 (a) of this section for a period of one hundred eighty (180) days. Upon request and approval by  
15 the court, the warrant may be extended one or more subsequent periods up to one hundred eighty  
16 (180) days per extension.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would limit the time period to no more than one hundred eighty (180) days  
2 relating to warrants issued to electronic communication services for information and content  
3 relating to their customers with one or more extensions of up to one hundred eighty (180) days  
4 per extension subject to court approval.

5           This act would take effect upon passage.

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