

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas
83rd General Assembly
Regular Session, 2001

A Bill

HOUSE BILL 1133

By: Representative Trammell

For An Act To Be Entitled

AN ACT CONCERNING SEARCH WARRANTS RELATING TO THE
MANUFACTURE OF CONTROLLED SUBSTANCES; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT CONCERNING SEARCH WARRANTS
RELATING TO THE MANUFACTURE OF
CONTROLLED SUBSTANCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. (a) The purpose of this section is to provide an additional exception to the requirement that a search warrant be executed between the hours of 6 a.m. and 8 p.m., as provided in Rule 13.2 of the Arkansas Rules of Criminal Procedure. Therefore, this section is supplemental to all rules or laws allowing the execution of a search warrant between the hours of 8 p.m. and 6 a.m.

(b) Notwithstanding Rule 13.2 of the Arkansas Rules of Criminal Procedure, or any other rule or law to the contrary, a search warrant may be executed between the hours of 8 p.m. and 6 a.m. upon a finding by the issuing judicial officer that there is a reasonable cause to believe that controlled substances are being manufactured.

SECTION 2. Notwithstanding any rule of the Arkansas Rules of Criminal Procedure or any other law to the contrary, there is reasonable cause for the issuance of a search warrant if a reasonably well trained law enforcement officer could, in good faith, conclude from chemical odor that methamphetamine

1 is being manufactured.

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3 SECTION 3. The General Assembly requests the Arkansas Supreme Court to
4 revise the Arkansas Rules of Criminal Procedure to conform with this act.