

As Reported by the House Criminal Justice Committee

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Sub. H. B. No. 34

**Representatives Setzer, Flowers, Kearns, Allen, Webster, DeGeeter, Carano,
Taylor, Latta, D. Evans, Gilb, Hughes, Seitz, Willamowski, Perry**

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A B I L L

To amend section 2933.24 of the Revised Code to 1
specify that a search warrant must be returned 2
promptly. 3

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

Section 1. That section 2933.24 of the Revised Code be 4
amended to read as follows: 5

Sec. 2933.24. (A) A search warrant shall be directed to the 6
proper law enforcement officer or other authorized individual and, 7
by a copy of the affidavit inserted in it or annexed and referred 8
to in it, shall show or recite all the material facts alleged in 9
the affidavit, and particularly name or describe the property to 10
be searched for and seized, the place to be searched, and the 11
person to be searched. If a waiver of the statutory precondition 12
for nonconsensual entry, as defined in division (A) of section 13
2933.231 of the Revised Code, has been granted pursuant to that 14
section, the warrant also shall contain a provision as described 15
in division (C) of that section. 16

The warrant shall command the officer or individual to search 17
the place or person named or described for the property, and to 18
bring them, together with the person, before the judge or 19

magistrate. The command of the warrant shall be that the search be
made in the daytime, unless there is urgent necessity for a search
in the night, in which case a search in the night may be ordered.

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The warrant shall be returned promptly by the officer or
individual holding it ~~not later than three days after its~~
~~issuance~~. It shall designate the judge or magistrate to whom it
shall be returned, if such judge or magistrate is available.

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(B) When a search warrant commands a proper law enforcement
officer or other authorized individual to inspect physical
conditions relating to public health, safety, or welfare, such
officer or individual, upon completion of the search, shall
complete a report of the conditions and file a copy of such report
with ~~his~~ the officer's or individual's agency headquarters.

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Section 2. That existing section 2933.24 of the Revised Code
is hereby repealed.

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