

CHAPTER 2026-177

Committee Substitute for House Bill No. 359

An act relating to search warrants; amending s. 933.02, F.S.; authorizing a search warrant to be issued to recover a deceased body; amending s. 933.05, F.S.; revising the time within which certain search warrants must be returned to the court; specifying the time period within which a search warrant issued for certain devices is considered timely executed; specifying that a law enforcement agency may review data or information contained in certain devices after specified periods if the devices were timely seized; providing definitions; amending s. 933.07, F.S.; providing that a judge may authorize a law enforcement officer applying for a search warrant to appear remotely; defining the term “audio-video communication technology”; creating s. 934.025, F.S.; providing that a judge may authorize a law enforcement officer applying for a search warrant or court order to appear remotely; defining the term “audio-video communication technology”; amending s. 934.50, F.S.; authorizing a law enforcement agency to obtain a search warrant to use a drone to conduct a search in certain circumstances; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (6) is added to section 933.02, Florida Statutes, to read:

933.02 Grounds for issuance of search warrant.—Upon proper affidavits being made, a search warrant may be issued under the provisions of this chapter upon any of the following grounds:

(6) To recover a deceased body.

This section also applies to any papers or documents used as a means of or in aid of the commission of any offense against the laws of the state.

Section 2. Section 933.05, Florida Statutes, is amended to read:

933.05 Issuance and return of search warrants; issuance in blank prohibited.—

(1) A search warrant cannot be issued except upon probable cause supported by affidavit or affidavits, naming or describing the person, place, or thing to be searched and particularly describing the property or thing to be seized.; ~~A no search warrant may not shall be issued in blank.~~

(2) A search and any such warrant must shall be returned within 10 days after issuance, not including the date of issuance thereof, except that a search warrant issued;

(a) To an out-of-state provider for electronic communications data as described in s. 934.23 must be returned within 20 days.

(b) To search for and seize specimens from a specific person for DNA analysis and comparison, including blood and saliva samples, or to seize specimens pursuant to s. 943.325 for entry into the DNA database must be returned within 30 days.

(c) For a computer, a computer system, or an electronic device, ~~and any data or information contained in such computer, computer system, or electronic device as those terms are defined in s. 815.03,~~ must be returned within 365 days that is in the actual possession of a law enforcement agency at the time such warrant is issued shall be returned to the court within 45 days after issuance thereof.

(3) If a search warrant is issued to search for and seize a computer, a computer system, or an electronic device, and any data or information contained in such computer, computer system, or electronic device, such warrant is considered timely executed if the computer, computer system, or electronic device was seized by a law enforcement agency within 10 days of the issuance of the search warrant, not including the date of issuance.

(4) This section does not require a law enforcement agency to complete the analysis or review of data or information contained in a computer, computer system, or electronic device within the period provided in subsection (2) if such computer, computer system, or electronic device was timely seized by a law enforcement agency under subsection (3).

(5) For purposes of this section, the terms “computer,” “computer system,” and “electronic device” have the same meaning as in s. 815.03.

Section 3. Subsection (5) is added to section 933.07, Florida Statutes, and subsection (1) of that section is republished, to read:

933.07 Issuance of search warrants.—

(1) The judge, upon examination of the application and proofs submitted, if satisfied that probable cause exists for the issuing of the search warrant, shall thereupon issue a search warrant signed by him or her with his or her name of office, to any sheriff and the sheriff’s deputies or any police officer or other person authorized by law to execute process, commanding the officer or person forthwith to search the property described in the warrant or the person named, for the property specified, and to bring the property and any person arrested in connection therewith before the judge or some other court having jurisdiction of the offense.

(5) A judge may authorize a law enforcement officer applying for a search warrant under subsection (1) to appear remotely using audio-video communication technology. As used in this section, the term “audio-video communication technology” has the same meaning as in s. 117.201.

Section 4. Section 934.025, Florida Statutes, is created to read:

934.025 Search warrants and court orders; remote appearance authorized.—A judge may authorize a law enforcement officer applying for a search warrant or court order pursuant to this chapter to appear remotely using audio-video communication technology. As used in this section, the term “audio-video communication technology” has the same meaning as in s. 117.201.

Section 5. Paragraph (b) of subsection (4) of section 934.50, Florida Statutes, is amended to read:

934.50 Searches and seizure using a drone.—

(4) EXCEPTIONS.—This section does not prohibit the use of a drone:

(b) If the law enforcement agency first obtains a search warrant signed by a judge authorizing the use of a drone, including, but not limited to, a search warrant authorizing a law enforcement agency to search an area or areas where evidence that a crime was committed might reasonably be found.

Section 6. This act shall take effect July 1, 2026.

Approved by the Governor June 26, 2026.

Filed in Office Secretary of State June 26, 2026.