



Sen. Michael Noland

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LRB096 07082 RLC 24456 a

1 AMENDMENT TO SENATE BILL 1021

2 AMENDMENT NO. _____. Amend Senate Bill 1021 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Criminal Procedure of 1963 is
5 amended by changing Section 108-8 as follows:

6 (725 ILCS 5/108-8) (from Ch. 38, par. 108-8)

7 Sec. 108-8. Use of force in execution of search warrant.

8 (a) All necessary and reasonable force may be used to
9 effect an entry into any building or property or part thereof
10 to execute a search warrant.

11 (b) The court issuing a warrant may authorize the officer
12 executing the warrant to make entry without first knocking and
13 announcing his or her office if it finds, based upon a showing
14 of specific facts, the existence of the following exigent
15 circumstances:

16 (1) That the officer reasonably believes that if notice

1 were given a weapon would be used:

2 (i) against the officer executing the search
3 warrant; or

4 (ii) against another person.

5 (2) That if notice were given there is an imminent
6 "danger" that evidence will be destroyed.

7 (c) All necessary and reasonable force may be used to
8 execute a search warrant for the taking of blood, hair, or
9 other materials from a person's body when the subject of the
10 search warrant is resisting execution of the search warrant.

11 (Source: P.A. 92-502, eff. 12-19-01.)".