

1.1 moves to amend H.F. No. 2288, the first engrossment, as follows:

1.2 Page 2, line 3, delete "search warrant" and insert "court order"

1.3 Page 2, line 24, delete "Search warrant" and insert "Court order"

1.4 Page 2, line 26, delete "search warrant issued pursuant to chapter 626" and insert "court order" and delete "warrant" and insert "court order"

1.6 Page 2, line 29, delete "felony level offense" and insert "crime"

1.7 Page 2, line 30, delete "search warrant" and insert "court order"

1.8 Page 3, line 7, delete "search warrant" and insert "court order"

1.9 Page 3, line 10, delete "warrant" and insert "court order"

1.10 Page 3, line 14, delete "search warrants" and insert "court orders"

1.11 Page 3, delete subdivision 4 and insert:

1.12 "Subd. 4. **Notice; temporary nondisclosure of order.** (a) Within a reasonable time
1.13 but not later than 90 days after the court unseals the order under this paragraph, the issuing
1.14 or denying judge shall cause to be served on the persons named in the order and the
1.15 application and inventory which shall include notice of:

1.16 (1) the fact of the issuance of the order or the application;

1.17 (2) the date of the issuance and the period of authorized, approved or disapproved
1.18 collection of location information, or the denial of the application; and

1.19 (3) the fact that during the period location information was or was not intercepted.

1.20 (b) An order authorizing collection of location information must direct that:

1.21 (1) the order be sealed for a period of 90 days or until the objective of the order has
1.22 been accomplished, whichever is shorter; and

1.23 (2) the order be filed with the court administrator within 10 days of the expiration of
1.24 the order.

1.25 (c) the prosecutor may request that the order, supporting affidavits, and any order
1.26 granting the request not be filed. An order must be issued granting the request in whole or
1.27 in part if, from affidavits, sworn testimony, or other evidence, the court finds reasonable

2.1 grounds exist to believe that filing the order may cause the search or a related search to
2.2 be unsuccessful, create a substantial risk of injury to an innocent person, or severely
2.3 hamper an ongoing investigation.

2.4 (d) The order must direct that following the commencement of any criminal
2.5 proceeding utilizing evidence obtained in or as a result of the search, the supporting
2.6 application or affidavit must be filed either immediately or at any other time as the court
2.7 directs. Until such filing, the documents and materials ordered withheld from filing must
2.8 be retained by the judge or the judge's designee."

2.9 Page 4, delete subdivision 5 and insert:

2.10 "Subd. 5. **Report concerning collection of location information.** (a) At the same
2.11 time as notice is provided under subdivision 4, the issuing or denying judge shall report
2.12 to the state court administrator:

2.13 (1) the fact that an order or extension was applied for;

2.14 (2) the fact that the order or extension was granted as applied for, was modified,
2.15 or was denied;

2.16 (3) the period of collection authorized by the order, and the number and duration
2.17 of any extensions of the order;

2.18 (4) the offense specified in the order or application, or extension of an order;

2.19 (5) whether the collection required contemporaneous monitoring of a electronic
2.20 device's location; and

2.21 (6) the identity of the applying investigative or law enforcement officer and agency
2.22 making the application and the person authorizing the application.

2.23 (b) On or before November 15 of each even-numbered year, the state court
2.24 administrator shall transmit to the legislature a report concerning (1) all orders authorizing
2.25 the collection of location information during the two previous calendar years and (2) all
2.26 applications that were denied during the two previous calendar years. Each report shall
2.27 include a summary and analysis of the data required to be filed under this subdivision. The
2.28 report is public and must be available for public inspection at the Legislative Reference
2.29 Library and the state court administrator's office and Web site."