

Bill Summary
1st Session of the 59th Legislature

Bill No.:	SB 38
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Bill Analysis

SB 38 prohibits the government from obtaining metadata, stored data, or transmitted data of an electronic device, as defined by the measure, without a court order or search warrant issued by a court upon probable cause. The government may obtain such data from a device if the device is reported as stolen, the government is responding to an emergency call from the user, the owner consents to the government using data from the device, or there exists a life-threatening situation. Data obtained in violation of this measure will be deemed inadmissible in any civil, criminal, or administrative proceeding and shall not be used in an affidavit of probable cause for a warrant. Notice must be given to the user if the government searched the device or obtained the data.

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