



653972

LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/R/2R	.	Floor: SEN1/RC
03/08/2012 05:00 PM	.	03/07/2012 05:37 PM
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Senator Bogdanoff moved the following:

**Senate Amendment (with title amendment)**

Between lines 20 and 21

insert:

Section 2. Section 90.4023, Florida Statutes, is created to read:

90.4023 Admissibility of evidence obtained from a cellular telephone.—Except when permitted by s. 12, Art. I of the State Constitution or with the written permission by the owner of the device, evidence obtained through the warrantless search of a cellular telephone or other electronic device is inadmissible.

===== T I T L E A M E N D M E N T =====



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14 And the title is amended as follows:

15

16 Delete line 5

17 and insert:

18 unavailability is not excluded as hearsay; creating s.

19 90.4023, F.S.; providing that, except under certain

20 specified circumstances, evidence obtained through the

21 warrantless search of a cellular telephone or other

22 electronic device is inadmissible in a court of law;

23 providing