

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 38A - Fires and Investigations

8A.

(A) THE STATE FIRE MARSHAL OR HIS DESIGNEE, A FULL-TIME FIRE INVESTIGATOR WHO IS A MEMBER OF A FIRE DEPARTMENT, OR A POLICE OFFICER MAY APPLY TO A JUDGE OF THE DISTRICT COURT OR A CIRCUIT COURT FOR AN ADMINISTRATIVE SEARCH WARRANT TO ENTER ANY FACTORY, WAREHOUSE, VEHICLE, RESIDENCE, BUILDING, ESTABLISHMENT, OR OTHER PREMISES WHERE A FIRE HAS OCCURRED TO CONDUCT A SEARCH TO DETERMINE THE CAUSE AND ORIGIN OF THE FIRE.

(B) THE APPLICATION SHALL BE IN WRITING AND SIGNED AND SWORN TO BY THE APPLICANT AND SHALL PARTICULARLY DESCRIBE THE VEHICLE, BUILDING, OR PREMISES TO BE SEARCHED AND THE NATURE, SCOPE, AND PURPOSE OF THE SEARCH TO BE PERFORMED BY THE APPLICANT.

(C) A JUDGE OF A COURT REFERRED TO IN SUBSECTION (A) OF THIS SECTION MAY ISSUE THE WARRANT ON FINDING THAT:

(1) A FIRE OF UNDETERMINED ORIGIN HAS OCCURRED ON THE PREMISES;

(2) THE SCOPE OF THE PROPOSED SEARCH IS REASONABLE AND WILL NOT INTRUDE UNNECESSARILY ON THE FIRE VICTIM'S PRIVACY:

(3) THE SEARCH WILL BE EXECUTED AT A REASONABLE AND CONVENIENT TIME; AND

(4) THE OWNER, TENANT, OR OTHER INDIVIDUAL IN CHARGE OF THE PROPERTY HAS DENIED ACCESS TO THE PROPERTY, OR AFTER MAKING A REASONABLE EFFORT, THE APPLICANT HAS BEEN UNABLE TO LOCATE ANY OF THESE INDIVIDUALS.

(D) AN ADMINISTRATIVE SEARCH WARRANT ISSUED UNDER THIS SECTION SHALL SPECIFY THE PLACE, STRUCTURE, PREMISES, OR VEHICLE TO BE SEARCHED. THE SEARCH CONDUCTED MAY NOT EXCEED THE LIMITS SPECIFIED IN THIS WARRANT.

(E) AN ADMINISTRATIVE SEARCH WARRANT ISSUED UNDER THIS SECTION SHALL BE EXECUTED AND RETURNED TO THE JUDGE BY WHOM IT WAS ISSUED WITHIN:

(1) THE TIME SPECIFIED IN THE WARRANT, NOT TO EXCEED 30 DAYS; OR

(2) IF NO TIME PERIOD IS SPECIFIED IN THE WARRANT, 15 DAYS FROM THE DATE OF ITS ISSUANCE.