

(2) THE APPLICANT HAS DEMONSTRATED THAT THE INSPECTION OF THE PREMISES IS SOUGHT:

(I) AS A RESULT OF EVIDENCE OF AN EXISTING VIOLATION OF THIS ARTICLE, THE STATE FIRE PREVENTION CODE, OR A LOCAL FIRE PREVENTION CODE, WHERE APPLICABLE; OR

(II) AS A RESULT OF A GENERAL AND NEUTRAL ADMINISTRATIVE PLAN TO CONDUCT FIRE PREVENTION INSPECTIONS;

(3) 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; AND

(4) THE INSPECTION IS SOUGHT FOR SAFETY RELATED PURPOSES.

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

(F) ANY INFORMATION OBTAINED PURSUANT TO AN ADMINISTRATIVE SEARCH WARRANT SHALL BE CONSIDERED AS CONFIDENTIAL AND MAY NOT BE DISCLOSED EXCEPT:

(1) TO THE EXTENT UTILIZED IN AN ADMINISTRATIVE OR JUDICIAL PROCEEDING ARISING OUT OF A VIOLATION RELATING TO THE PURPOSE FOR WHICH THE WARRANT WAS ISSUED AND WITHIN THE SCOPE OF THE WARRANT; OR

(2) TO AN OWNER OR OCCUPANT OF THE PREMISES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1986.

Approved May 13, 1986.

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