

(2) IS DENIED ACCESS TO THE PROPERTY AFTER MAKING A PROPER REQUEST FOR ACCESS OF THE OWNER, LESSEE, OR OTHER PERSON IN CHARGE OF THE PROPERTY.

(C) ISSUANCE.

A JUDGE MAY ISSUE AN ADMINISTRATIVE SEARCH WARRANT UNDER THIS SECTION IF THE APPLICATION:

(1) SPECIFIES THE NATURE, SCOPE, AND PURPOSE OF THE INSPECTION;  
AND

(2) SHOWS THAT:

(I) THE APPLICANT IS AUTHORIZED OR REQUIRED BY LAW TO INSPECT THE PROPERTY;

(II) THE APPLICANT WAS DENIED ACCESS TO THE PROPERTY AFTER MAKING A PROPER REQUEST FOR ACCESS AT A REASONABLE TIME;

(III) THE APPLICATION IS APPROVED BY THE ATTORNEY GENERAL;  
AND

(IV) THE INSPECTION IS SOUGHT FOR SAFETY OR HEALTH RELATED PURPOSES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 2A.

In subsection (a) of this section, the reference to inspections "under" certain provisions is substituted for the former reference to inspections "sought pursuant to the following" for brevity.

Also in subsection (a) of this section, the former reference to "[s]ection 3-402 of the Business Regulation Article relating to amusement attraction safety" is deleted in light of § 3-205 of the Business Regulation Article to the same effect.

In the introductory language of subsection (b) of this section, the former reference to an "investigator" is deleted because this section applies only to inspections and not investigations.

Also in the introductory language of subsection (b) of this section, the former phrase "under the following conditions" is deleted as surplusage.

In subsections (b)(1) and (2) and (c)(2)(ii) of this section, the former reference to "premises" is deleted as included in the reference to "property".

In subsection (b)(2) of this section, the former reference to "seek[ing] access to such premises or property for the purpose of making an inspection" is deleted as implicit in the reference to "making a proper request for access".

Also in subsection (b)(2) of this section, the former reference to a "tenant"