

**Introduced by Senator Leno**

February 21, 2013

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An act relating to privacy.

LEGISLATIVE COUNSEL'S DIGEST

SB 467, as introduced, Leno. Privacy: electronic communications: warrant.

Existing law authorizes a court or magistrate to issue a warrant for the search of a place and the seizure of property or things identified in the warrant where there is probable cause to believe that specified grounds exist. Existing law also provides for a warrant procedure for the acquisition of stored communications in the possession of a provider of electronic communication service or remote computing service.

This bill would declare the intent of the Legislature to enact legislation prohibiting a government entity from obtaining the contents of a wire or electronic communication from a provider of electronic communication service or remote computing service that is stored, held, or maintained by that service without a valid search warrant.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation prohibiting a government entity from obtaining the
- 3 contents of a wire or electronic communication from a provider
- 4 of electronic communication service or remote computing service

- 1 that is stored, held, or maintained by that service without a valid
- 2 search warrant.

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