

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.7505 Contents, execution, and return of warrant; copy of warrant and receipt for property seized; inventory of property taken; delivering copy of inventory; filing warrant with copy of return and papers returnable.

Sec. 7505.

(1) The warrant shall:

(a) State the grounds for its issuance and the name of each person whose affidavit has been taken in support thereof.

(b) Be directed to a person described in section 7502.

(c) Command the person to whom it is directed to inspect the area, premises, building, or conveyance identified for the purpose specified and, if appropriate, direct the seizure of the property specified.

(d) Identify the item or types of property to be seized, if any.

(e) Designate the magistrate to whom it shall be returned.

(2) A warrant issued pursuant to this section shall be executed and returned within 10 days after its date unless, upon a showing of a need for additional time, the court orders otherwise. If property is seized pursuant to a warrant, a copy shall be given to the person from whom or from whose premises the property is taken, together with a receipt for the property taken. The return of the warrant shall be made promptly, accompanied by a written inventory of any property taken. The inventory shall be made in the presence of the person executing the warrant and of the person from whose possession or premises the property was taken, if present, or in the presence of at least 1 credible person other than the person executing the warrant. A copy of the inventory shall be delivered to the person from whom or from whose premises the property was taken and to the applicant for the warrant.

(3) The magistrate who issues a warrant shall attach thereto a copy of the return and all papers returnable in connection therewith and file them with the clerk of the magistrate's court in which the inspection was made.

History: 1978, Act 368, Eff. Sept. 30, 1978

Popular Name: Act 368