

HOUSE JOINT RESOLUTION C

January 31, 2017, Introduced by Reps. Runestad, Hughes, Howrylak, Hernandez, Vaupel, Johnson, Kelly, Lucido, Canfield, Graves, Robinson and Frederick and referred to the Committee on Law and Justice.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article I, to require the government to obtain a search warrant in order to access a person's electronic data or electronic communication.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to require the government to obtain a search warrant in order to access a person's electronic data or electronic communication, is proposed, agreed to, and submitted to the people of the state:

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ARTICLE I

Sec. 11. The person, houses, papers, ~~and~~ possessions, **AND ELECTRONIC DATA AND ELECTRONIC COMMUNICATIONS** of every person shall be secure from unreasonable searches and seizures. No warrant to

1 search any place or to seize any person or things **OR TO ACCESS**
2 **ELECTRONIC DATA OR ELECTRONIC COMMUNICATIONS** shall issue without
3 describing them, nor, without probable cause, supported by oath or
4 affirmation. The provisions of this section shall not be construed
5 to bar from evidence in any criminal proceeding any narcotic drug,
6 firearm, bomb, explosive or any other dangerous weapon, seized by a
7 peace officer outside the curtilage of any dwelling house in this
8 state.

9 Resolved further, That the foregoing amendment shall be
10 submitted to the people of the state at the next general election
11 in the manner provided by law.