

FOURTH AMENDMENT RIGHTS PROTECTION ACT (EXCERPT)
Act 71 of 2018

***** 37.263 THIS NEW SECTION IS EFFECTIVE JUNE 17, 2018 *****

37.263.new Collection of electronic data or metadata by federal agency; assistance or support by state or political subdivision; limitation; circumstances.

Sec. 3. This state or a political subdivision of this state shall not assist, participate with, or provide material support or resources to a federal agency to enable it to collect or to facilitate in the collection or use of a person's electronic data or metadata, unless 1 or more of the following circumstances apply:

- (a) The person has given informed consent.
- (b) The action is pursuant to a warrant that is based upon probable cause and particularly describes the person, place, or thing to be searched or seized.
- (c) The action is in accordance with a legally recognized exception to warrant requirements.
- (d) The action will not infringe on any reasonable expectation of privacy the person may have.
- (e) This state or a political subdivision of this state collected the electronic data or metadata legally.

History: 2018, Act 71, Eff. June 17, 2018.