

5636-S

Sponsor(s): Senate Committee on Natural Resources & Parks  
(originally sponsored by Senators Oke, Swecker, Rossi and Horn)

Brief Title: Revising health inspection warrants for local health officers in response to pollution in commercial or recreational shellfish harvesting areas.

**SB 5636-S - DIGEST**

(DIGEST AS ENACTED)

Provides that the local health officer, environmental health director, or equivalent officer may apply for an administrative search warrant to a court official authorized to issue a criminal search warrant. The warrant may only be applied for after the local health officer or the health officer's designee has requested inspection of the person's property under the specific administrative plan required in this section, and the person has refused the health officer or the health officer's designee access to the person's property. Timely notice must be given to any affected person that a warrant is being requested and that the person may be present at any court proceeding to consider the requested search warrant. The court official may issue the warrant upon probable cause.

Provides for notice to property owners of the request.

Provides that a specific administrative plan must be developed expressly in response to the pollution, and the local health officer shall submit the plan to the court as part of the justification for the warrant.