

1 that the offense complained of has been committed, and that there is
2 reasonable ground to believe that the defendant has committed it,
3 issue a warrant of arrest.

4 B. In addition to any other procedure authorized by law, a
5 proposed arrest warrant may be communicated to the magistrate by
6 telephone or by electronic mail or any similar electronic
7 communication which delivers a complete printable image of the
8 arrest warrant.

9 1. If the proposed arrest warrant is communicated
10 telephonically, the affiant shall:

- 11 a. recite information establishing probable cause to
12 support issuance of the arrest warrant, and
13 b. recite the proposed arrest warrant to the magistrate
14 verbatim and obtain the oral permission of the
15 magistrate to print the name of the magistrate on the
16 arrest warrant along with the date and time of the
17 signature.

18 The oral recorded authorization of the magistrate to print the name
19 of the magistrate on the arrest warrant shall constitute issuance of
20 the arrest warrant under this section. The conversation
21 establishing probable cause, reciting the contents of the arrest
22 warrant verbatim, and any authorization to sign by the magistrate,
23 shall be audio recorded, transcribed, and filed together with the
24 arrest warrant.

1 2. If communication of the proposed affidavit is made by
2 electronic mail or other electronic communication, the affidavit may
3 contain a notarized acknowledgment, or the affiant may swear to the
4 affidavit by telephone. A magistrate administering an oath
5 telephonically shall endorse upon the face of the affidavit the date
6 and time which the affiant undertook the oath by telephone.

7 SECTION 2. This act shall become effective November 1, 2026.

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9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
10 OVERSIGHT, dated 02/24/2026 - DO PASS.

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