

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3269

By: George

AS INTRODUCED

An Act relating to criminal procedure; amending 22 O.S. 2021, Section 171, which relates to issuing arrest warrants by verified complaints; authorizing telephonic or electronic communication of proposed arrest warrants to magistrates; establishing criteria for communicating telephonically; equating orally recorded authorizations by magistrates with issuing arrest warrants; requiring the audio recording, transcribing and filing of conversations related to arrest warrants; providing procedures for obtaining proposed affidavits; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 22 O.S. 2021, Section 171, is amended to read as follows:

Section 171. A. When a complaint, verified by oath or affirmation, is laid before a magistrate, of the commission of a public offense, ~~he must~~ the magistrate shall, if satisfied therefrom that the offense complained of has been committed, and that there is reasonable ground to believe that the defendant has committed it, issue a warrant of arrest.

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

6 1. If the proposed arrest warrant is communicated
7 telephonically, the affiant shall:

8 a. recite information establishing probable cause to
9 support issuance of the arrest warrant, and

10 b. recite the proposed arrest warrant to the magistrate
11 verbatim and obtain the oral permission of the
12 magistrate to print the name of the magistrate on the
13 arrest warrant along with the date and time of the
14 signature.

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

22 2. If communication of the proposed affidavit is made by
23 electronic mail or other electronic communication, the affidavit may
24 contain a notarized acknowledgment, or the affiant may swear to the

1 affidavit by telephone. A magistrate administering an oath
2 telephonically shall endorse upon the face of the affidavit the date
3 and time which the affiant undertook the oath by telephone.

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