

**CS FOR HOUSE BILL NO. 114(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

**BY THE HOUSE JUDICIARY COMMITTEE**

**Offered: 3/24/03**

**Referred: Rules**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the issuance of a search warrant."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1.** AS 12.35.015(a) is amended to read:

4 (a) A judicial officer may issue a search warrant upon the sworn oral  
5 testimony of a person communicated by telephone or other appropriate means, or  
6 sworn affidavit transmitted by facsimile machine, if the judicial officer finds that there  
7 is probable cause to believe that

8 (1) the presentation of the applicant's affidavit or testimony personally  
9 before the judicial officer would result in a delay in obtaining **or executing** a search  
10 warrant [AND IN EXECUTING THE SEARCH]; and

11 (2) the delay might result in loss or destruction of the evidence subject  
12 to seizure **or might interfere with an ongoing investigation.**