

Introduced: 2/27/69
Referred: Judiciary

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO. 208

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to search warrants, amending Alaska
7 State Supreme Court Criminal Rule 37(a)."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. Alaska State Supreme Court Rule of Criminal Procedure 37(a)
10 is amended to read:

11 (a) SEARCH WARRANT: ISSUANCE AND CONTENTS. A search warrant
12 authorized by law shall issue only on affidavit sworn to before the
13 Judge or magistrate or any person authorized to take oaths under the
14 law of the state, and establishing the grounds for issuing the warrant.
15 If the judge or magistrate is satisfied that grounds for the application
16 exist or that there is probable cause to believe that they exist, he
17 shall issue a warrant identifying the property and naming or describing
18 the person or place to be searched. The warrant shall be directed to a
19 peace officer of the state authorized to enforce or assist in enforcing
20 any law thereof. It shall state the grounds or probable cause for its
21 issuance and the names of the persons whose affidavits have been taken
22 in support thereof. It shall command the officer to search forthwith
23 the person or place named for the property specified. The warrant shall
24 direct that it be served from 7:00 a.m. to 10:00 p.m. [IN THE DAYTIME],
25 but if the affidavits are positive that the property is on the person
26 or in the place to be searched, the warrant may direct that it be
27 served at any time. It shall designate the superior court judge or the
28 magistrate to whom it shall be returned.
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