

Original Sponsor: Judiciary Committee

Offered: 3/15/69  
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

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HOUSE CS FOR SENATE BILL NO. 208

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to search warrants, amending Alaska

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State Supreme Court Criminal Rule 37(a)."

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

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\* Section 1. Alaska State Supreme Court Rule of Criminal Procedure 37(a)

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is amended to read:

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(a) SEARCH WARRANT: ISSUANCE AND CONTENTS. A search warrant

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authorized by law shall issue only on affidavit sworn to before the

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judge or magistrate or any person authorized to take oaths under the

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law of the state, and establishing the grounds for issuing the warrant.

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If the judge or magistrate is satisfied that grounds for the application

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exist or that there is probable cause to believe that they exist, he

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shall issue a warrant identifying the property and naming or describing

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the person or place to be searched. The warrant shall be directed to a

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peace officer of the state authorized to enforce or assist in enforcing

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any law thereof. It shall state the grounds or probable cause for its

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issuance and the names of the persons whose affidavits have been taken

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in support thereof. It shall command the officer to search forthwith

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the person or place named for the property specified. The warrant shall

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direct that it be served between 7:00 a.m. and 10:00 p.m. [IN THE DAY-

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TIME], but if an affiant is [THE AFFIDAVITS ARE] positive that the

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property is on the person or in the place to be searched, the warrant

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may direct that it be served at any time. It shall designate the

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superior court judge or the magistrate to whom it shall be returned.

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