

Original sponsor: Judiciary Committee

Offered: 6/13/78
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

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HOUSE CS FOR SENATE BILL NO. 186 (Judiciary)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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TENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to the powers of judicial officers to
7 issue search warrants; and providing for an effective
8 date."

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

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* Section 1. AS 12.35.020 is amended by adding a new subsection to read:

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(b) In requests under (a)(4) of this section a subpoena or a sub-

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poena duces tecum shall be used in place of a search warrant where the

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property, other than contraband, is in possession of a person not sus-

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pected of a crime unless the judicial officer finds from a clear showing

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that a subpoena and a restraining order would not effectively prevent

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the property from being destroyed, concealed or removed from the juris-

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diction.

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* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-

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070(c).

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