

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1679

By: Representative Gazaway
By: Senator T. Garner

For An Act To Be Entitled

AN ACT CONCERNING THE ISSUANCE OF AN ARREST WARRANT
BY A JUDGE OR MAGISTRATE; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE ISSUANCE OF AN ARREST
WARRANT BY A JUDGE OR MAGISTRATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 16-81-104(a), concerning the issuance of an arrest warrant by a judge or magistrate, is amended to read as follows:

(a)(1)(A) A warrant of arrest may be issued by any circuit court judge, district court judge, ~~or city judge~~ or magistrate.

(B) A warrant of arrest may be executed by any law enforcement officer.

(2) It ~~shall be~~ is the duty of a ~~judge~~ circuit court judge, district court judge, or magistrate to issue a warrant for the arrest of a person charged with the commission of a ~~public~~ an offense when, from his or her personal knowledge or from information given him or her on oath, the ~~judge~~ circuit court judge, district court judge, or magistrate ~~shall be~~ is satisfied that there are reasonable grounds for believing the charge.

(3)(A) The prosecuting attorney ~~of every district in this state shall have authority~~ may, whenever he or she believes any person has committed a ~~crime~~ an offense in any county in the district for which he or she is elected, ~~to~~ file before any circuit court judge, district court judge, ~~or city judge~~ or magistrate within the county in which he or she believes the



~~erime~~ offense has been committed a written information, under oath, charging the person ~~in due form of law~~ with the commission of the ~~erime, whereupon~~ offense.

(B) Upon a filing described in subdivision (a)(3)(A) of this section, the justice shall circuit court judge, district court judge, or magistrate may issue his or her warrant for the arrest of the ~~offender~~ person and have the ~~offender~~ person brought before him or her ~~to be dealt with~~ according to law.

APPROVED: 3/29/19