

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1679

5 By: Representative Gazaway
6 By: Senator T. Garner
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE ISSUANCE OF AN ARREST WARRANT
10 BY A JUDGE OR MAGISTRATE; AND FOR OTHER PURPOSES.
11

Subtitle

12 CONCERNING THE ISSUANCE OF AN ARREST
13 WARRANT BY A JUDGE OR MAGISTRATE.
14
15
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

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

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

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

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

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



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

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

9
10
11 **APPROVED: 3/29/19**
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36