

# Legislative Analysis

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## WARRANTS: ALLOW BY ELECTRONIC VIDEO

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**House Bill 5246**

**Sponsor: Rep. Bill Rogers**

**Committee: Judiciary**

**Complete to 3-12-14**

## A SUMMARY OF HOUSE BILL 5246 AS INTRODUCED 1-23-14

The bill would allow a complaint for an arrest warrant to be made by electronic video if certain conditions are met.

House Bill 5246 would amend the Code of Criminal Procedure. Currently, a complaint for an arrest warrant may be made by any electronic or electromagnetic means of communication, if all of the following occur:

- 1) The prosecuting attorney authorizes the issuance of the warrant (which may consist of an electronically or electromagnetically transmitted facsimile of the signed authorization).
- 2) The judge orally administers the oath or affirmation to an applicant for an arrest warrant who submits a complaint.
- 3) The applicant signs the complaint (proof of which may consist of an electronically or electromagnetically transmitted facsimile of the signed complaint).

The bill would also allow a complaint for an arrest warrant to be made by electronic video. Further, the bill would amend Number 2 above to specify that the judge may administer the oath to the applicant submitting the complaint *in person or by means of electronic video*.

MCL 764.1

## FISCAL IMPACT:

A fiscal analysis is in process.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.