

SB330 ENGROSSED



1 SB330
2 XDYL4ZZ-2
3 By Senator Bell
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 26-Feb-26



SB330 Engrossed

A BILL
TO BE ENTITLED
AN ACT

Relating to criminal procedure; to authorize the use of certain digital, electronic, or telephonic means to obtain a warrant for certain violations subject to citation in lieu of arrest procedures; to authorize the use of certain digital, electronic, or telephonic means to swear to the facts contained in citations issued for certain violations; to provide that the physical presence of the affiant in such circumstances is not required; and to authorize law enforcement officers to administer oaths to other law enforcement officers in certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For purposes of this section, the following terms have the following meanings:

(1) LAW ENFORCEMENT OFFICER. A police officer, deputy sheriff, deputy constable, or other official who has the authority to make arrests; is employed by the state, county, or municipality; and is certified by the Alabama Peace Officers' Standards and Training Commission. The term includes enforcement officers of the Alabama State Law Enforcement Agency, the Department of Corrections, and the Board of



SB330 Engrossed

Pardons and Paroles.

(2) RELIABLE ELECTRONIC MEANS. Means compliant with criminal justice information system measures by which a document may be signed and transmitted.

(3) UNIFORM NONTRAFFIC CITATION AND COMPLAINT. The complaint and summons issued in lieu of arrest for any nontraffic offense enumerated in Rule 20, Appendix B of the Alabama Rules of Judicial Administration, as adopted by the Supreme Court of Alabama, or an electronic version of the citation containing substantially the same information found on the citation.

(4) UNIFORM TRAFFIC TICKET AND COMPLAINT. The complaint and summons used in all non-felony traffic cases filed in all courts of the state or an electronic version of the ticket containing substantially the same information found on the ticket.

(b)(1) Warrants for any of the following offenses may be sworn and issued by a judge or magistrate remotely, digitally, via video link, or by telephone:

- a. Misdemeanor violations.
- b. Traffic violations.
- c. Municipal ordinance violations.

(2) The physical presence of the affiant before the judge or magistrate is not required. Other methods of technology not specifically described in subdivision (1) may be used to facilitate the oath and issuance of a criminal warrant pursuant to this subsection upon approval of the technology by the Director of the Administrators of the



SB330 Engrossed

Courts.

(c)(1) Upon the issuance of a Uniform Traffic Ticket and Complaint, a law enforcement officer may swear to the facts contained in the Uniform Traffic Ticket and Complaint before any person within the judicial branch of government who is authorized by the state to administer oaths. Both the law enforcement officer and the person administering the oath may complete this swearing through remote or digital means, via video link, by telephone, or through any other technology that has been approved by the Director of the Administrators of the Courts.

(2) Upon the issuance of a Uniform Nontraffic Citation and Complaint, a law enforcement officer may swear to the facts contained in the Uniform Nontraffic Citation and Complaint before any person within the judicial branch of government who is authorized by the state to administer oaths. Both the law enforcement officer and the person administering the oath may complete this swearing through remote or digital means, via video link, by telephone, or through any other technology that has been approved by the Director of the Administrators of the Courts.

(d)(1) A law enforcement officer, when engaged in the performance of his or her official duties, may administer oaths to other law enforcement officers to swear to the facts contained in a complaint for a misdemeanor offense, a Uniform Traffic Ticket and Complaint, or a Uniform Nontraffic Citation and Complaint through the following means:

a. Reliable electronic means.



SB330 Engrossed

85 b. In the physical presence of an affiant.

86 (2) Upon the issuance of a complaint for a misdemeanor
87 offense, a Uniform Traffic Ticket and Complaint, or a Uniform
88 Nontraffic Citation and Complaint, a law enforcement officer
89 may swear to the facts contained in the complaint for a
90 misdemeanor, the Uniform Traffic Ticket and Complaint, or the
91 Uniform Nontraffic Citation and Complaint before any law
92 enforcement officer who is authorized to administer oaths
93 pursuant to subdivision (1). The affiant shall then present
94 the sworn complaint to the proper judicial officer for the
95 judicial officer to determine if probable cause exists to
96 issue an arrest warrant pursuant to Chapter 7 of Title 15,
97 Code of Alabama 1975.

98 (3) Upon swearing to the facts contained in the
99 complaint before a law enforcement officer who is authorized
100 to administer oaths pursuant to subdivision (1), the law
101 enforcement officer administering the oath shall notate on the
102 deposition his or her name, the date, and the time of
103 administering the oath.

104 (4) A law enforcement officer may not notarize his or
105 her own signature.

106 Section 2. This act shall become effective on October
107 1, 2026.



SB330 Engrossed

108
109
110 Senate

111 Read for the first time and referred26-Feb-26
112 to the Senate committee on Fiscal
113 Responsibility and Economic
114 Development

115
116 Read for the second time and placed11-Mar-26
117 on the calendar:
118 1 amendment

119
120 Read for the third time and passed17-Mar-26
121 as amended
122 Yeas 30
123 Nays 0
124 Abstains 0

125
126
127 Patrick Harris,
128 Secretary.
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