

SB330 INTRODUCED



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



4 SYNOPSIS:

5 Under existing law, law enforcement officers may
6 issue citations for certain violations, traffic
7 offenses, and misdemeanors in lieu of performing a
8 custodial arrest.

9 This bill would authorize a warrant for such a
10 violation to be sworn and issued by a judge or
11 magistrate remotely, digitally, via video link, or by
12 telephone and would specify that the physical presence
13 of the affiant before the judge or magistrate is not
14 required.

15 This bill would allow law enforcement officers
16 to swear to the citations they issue for certain
17 violations, traffic offenses, and misdemeanors in the
18 presence of a judge or magistrate remotely, digitally,
19 via video link, or by telephone.

20 This bill would also authorize law enforcement
21 officers to act as a magistrate in the limited scope of
22 administering oaths to other law enforcement officers
23 to swear to the facts contained in a citation.

24
25
26 A BILL
27 TO BE ENTITLED
28 AN ACT



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29
30 Relating to criminal procedure; to authorize the use of
31 certain digital, electronic, or telephonic means to obtain a
32 warrant for certain violations subject to citation in lieu of
33 arrest procedures; to authorize the use of certain digital,
34 electronic, or telephonic means to swear to the facts
35 contained in citations issued for certain violations; to
36 provide that the physical presence of the affiant in such
37 circumstances is not required; and to authorize law
38 enforcement officers to administer oaths to other law
39 enforcement officers in certain circumstances.

40 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

54 (3) UNIFORM NONTRAFFIC CITATION AND COMPLAINT. The
55 complaint and summons issued in lieu of arrest for any
56 nontraffic offense enumerated in Rule 20, Appendix B of the



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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 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



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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.

b. In the physical presence of an affiant.

(2) Upon the issuance of a complaint for a misdemeanor offense, a Uniform Traffic Ticket and Complaint, or a Uniform Nontraffic Citation and Complaint, a law enforcement officer may swear to the facts contained in the complaint for a misdemeanor, the Uniform Traffic Ticket and Complaint, or the Uniform Nontraffic Citation and Complaint before any law



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113 enforcement officer who is authorized to administer oaths
114 pursuant to subdivision (1).

115 (3) A law enforcement officer may not notarize his or
116 her own signature.

117 Section 2. This act shall become effective on October
118 1, 2026.