

**ASSEMBLY BILL**

**No. 1648**

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**Introduced by Assembly Member Maienschein**

February 11, 2014

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An act to amend Section 814 of the Penal Code, relating to a warrant of arrest.

LEGISLATIVE COUNSEL'S DIGEST

AB 1648, as introduced, Maienschein. Criminal procedure: warrant of arrest.

Existing law authorizes a warrant of arrest, issued by a magistrate pursuant to a specific statute, to be substantially in a specified form.

This bill would change all references in the specified form from magistrate to judge.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 814 of the Penal Code is amended to  
2 read:  
3 814. A warrant of arrest issued under Section 813 may be in  
4 substantially the following form:  
5  
6 County of \_\_\_\_\_  
7 The people of the State of California to any peace officer of ~~said~~  
8 *the State:*  
9 Complaint on oath having this day been laid before me that the  
10 crime of \_\_\_\_\_ (designating it generally) has been committed and

1 accusing \_\_\_\_ (naming defendant) thereof, you are therefore  
 2 commanded forthwith to arrest the above named defendant and  
 3 bring him *or her* before me at \_\_\_\_ (naming the place), or in case  
 4 of my absence or inability to act, before the nearest or most  
 5 accessible ~~magistrate~~ *judge* in this county.

6  
 7 Dated at \_\_\_\_\_ (place) this \_\_\_\_\_ day of \_\_\_\_\_,  
 8  
 9 19   .    .

10 \_\_\_\_\_  
 11 (Signature and full official title of ~~magistrate~~ *judge*.)  
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