

2026 Regular Session

HOUSE BILL NO. 64

BY REPRESENTATIVE MUSCARELLO

CRIMINAL/PROCEDURE: Provides relative to the recall of arrest warrants

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 204 and to enact Code of
3 Criminal Procedure Article 202(H), relative to arrest warrants; to provide for the
4 authority of a magistrate to recall an arrest warrant; to provide relative to the
5 execution of arrest warrants; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 204 is hereby amended and reenacted
8 and Code of Criminal Procedure Article 202(H) is hereby enacted to read as follows:

9 Art. 202. Warrant of arrest; issuance; recall

10 * * *

11 H. A magistrate may recall a warrant of arrest that he has previously issued.

12 * * *

13 Art. 204. Execution of warrant

14 The warrant shall be directed to all peace officers in the state. It shall be
15 executed only by a peace officer, and may be executed in any parish by any peace
16 officer having authority in the territorial jurisdiction where the person arrested is
17 found, or by any peace officer having authority in one territorial jurisdiction in this
18 state who enters another jurisdiction in close pursuit of the person arrested. No
19 peace officer shall execute a warrant that has been recalled pursuant to Article
20 202(H).

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 64 Original

2026 Regular Session

Muscarello

Abstract: Provides for the recall of arrest warrants.

Present law (C.Cr.P. Art. 202) provides for the issuance of arrest warrants.

Proposed law retains present law.

Proposed law permits a magistrate to recall an arrest warrant that he has previously issued.

Present law (C.Cr.P. Art. 204) provides for the execution of arrest warrants.

Proposed law retains present law.

Proposed law provides that no peace officer shall execute a warrant that has been recalled pursuant to proposed law.

(Amends C.Cr.P. Art. 204; Adds C.Cr.P. Art. 202(H))