

**First Regular Session
Seventy-Seventh General Assembly
STATE OF SAN ANDREAS**

INTRODUCED

LLS NO. 26-0726.01 Amirah Vasquez x2851

HOUSE BILL 26-021

SENATE SPONSORSHIP

Petty

HOUSE SPONSORSHIP

McCall, Jennings, Watson

House Committees

Not assigned

Senate Committees

Not assigned

A BILL FOR AN ACT

**CONCERNING ENDING THE USE OF GRAND JURIES AND REQUIRING PROBABLE
CAUSE AFFIDAVITS IN ALL PROSECUTIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <https://saleg.uscgov.com>)

This bill eliminates the use of grand juries for criminal indictments in the State of San Andreas and requires that felony prosecutions be initiated through the filing of a sworn probable cause affidavit reviewed by a judge. The bill is intended to increase transparency and ensure that criminal charges are supported by clearly articulated factual evidence subject to judicial review.

**Shading denotes HOUSE amendment. Underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.**

Under the bill, felony charges may only proceed when a prosecutor or law enforcement officer submits a sworn affidavit establishing probable cause that an offense has been committed and that the accused committed the offense. A judge must independently determine that probable cause exists before charges may move forward. If probable cause cannot be established through a sworn affidavit, charges may not be filed.

The legislation repeals statutory provisions authorizing grand jury indictments and provides that defendants retain existing rights to preliminary hearings and judicial review of probable cause. Indictments returned prior to the effective date of the Act remain valid, while pending grand jury matters must proceed through the affidavit-based charging process.

The purpose of the Act is to replace grand jury proceedings with a uniform, judicially supervised charging system intended to promote accountability, consistency, and transparency in criminal prosecutions.

1 *Be it enacted by the General Assembly of the State of San*
2 *Andreas:*
3 SECTION 1. SHORT TITLE. This act shall be known and cited
4 as the “No Grand Juries Act.” SECTION 2. LEGISLATIVE
5 FINDINGS AND INTENT. (a) The General Assembly finds and
6 declares that: (I) Criminal prosecutions must be based upon
7 clearly articulated probable cause supported by sworn statements
8 and judicial review; (II) Charging decisions should be transparent
9 and subject to adversarial scrutiny to ensure fairness and
10 accountability; (III) Grand jury proceedings are conducted in
11 secret and do not provide an opportunity for the accused to
12 challenge evidence prior to indictment; (IV) Judicial
13 determinations of probable cause based on sworn affidavits
14 provide a consistent and constitutionally sufficient mechanism for
15 initiating criminal charges; (V) It is the intent of the General
16 Assembly to eliminate the use of grand juries within the State of
17 San Andreas and require that criminal prosecutions proceed

1 through judicially reviewed probable cause affidavits. **SECTION**
2 **3. ABOLITION OF GRAND JURY PROCEEDINGS.** (a) Grand
3 juries shall not be convened for the purpose of returning
4 indictments in criminal matters within the State of San Andreas.
5 (b) No person shall be charged with a felony offense by
6 indictment. (c) Any statutory provision authorizing the use of a
7 grand jury for purposes of indictment is repealed. **SECTION 4.**
8 **REQUIRED PROBABLE CAUSE AFFIDAVIT.** (a) A felony
9 prosecution shall be initiated only upon: (I) The filing of a sworn
10 probable cause affidavit; and (I) A judicial determination that
11 probable cause exists to believe that an offense has been
12 committed and that the accused committed the offense. (b) The
13 affidavit shall: (I) Be signed under oath or affirmation; (II) Set
14 forth specific facts supporting probable cause; (III) Identify the
15 sources of information relied upon; and (IV) Be sufficient to
16 permit independent judicial review. (c) If probable cause cannot
17 be established through a sworn affidavit, criminal charges shall
18 not be filed. **SECTION 5. PRELIMINARY HEARING RIGHTS.**
19 (a) A defendant charged by probable cause affidavit shall retain
20 the right to a preliminary hearing consistent with existing law. (b)
21 Nothing in this Act shall limit the ability of a court to dismiss
22 charges where probable cause is not established. **SECTION 6.**
23 **TRANSITIONAL PROVISIONS.** (a) Any indictment returned
24 prior to the effective date of this Act shall remain valid. (b)
25 Pending grand jury proceedings shall be terminated upon the
26 effective date of this Act, and any charges shall proceed through
27 filing of a probable cause affidavit. **SECTION 7.**
28 **RULEMAKING AUTHORITY.** The Judicial Branch and the
29 Department of Law may promulgate rules necessary to implement
30 this Act. **SECTION 8. EFFECTIVE DATE.** This Act shall take
31 effect after the 90 day period following the final adjournment of
32 the Seventy-Seventh general assembly.