

By: Thompson of Harris

H.B. No. 418

A BILL TO BE ENTITLED

AN ACT

relating to the duties and powers of peace officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.13(b), Code of Criminal Procedure, is amended to read as follows:

(b) The officer ~~[shall]~~:

(1) may, if authorized ~~[in every case authorized by the provisions of this Code]~~, interfere without warrant to prevent or suppress crime;

(2) shall execute all lawful process issued to the officer by any magistrate or court;

(3) shall give notice to some magistrate of all offenses committed within the officer's jurisdiction, if ~~[where]~~ the officer has probable cause ~~[good reason]~~ to believe there has been a violation of the penal law; ~~[and]~~

(4) may, if authorized, arrest offenders without warrant so ~~[in every case where the officer is authorized by law, in order]~~ that they may be taken before the proper magistrate or court and be tried;

(5) shall make an identification as a peace officer before taking any action within the course and scope of the officer's official duties unless the identification would render the action impracticable; and

(6) shall intervene to prevent an action by another

1 peace officer if:

2 (A) the action includes the use of force in an
3 amount that exceeds that which is reasonable under the
4 circumstances;

5 (B) the intervening officer knows or should know
6 that the other officer's action violates department policy or
7 local, state, or federal law; or

8 (C) the action puts a person at risk of bodily
9 injury, as that term is defined by Section 1.07, Penal Code, and is
10 not:

11 (i) immediately necessary to avoid imminent
12 bodily injury to a peace officer or other person; or

13 (ii) required to apprehend a person
14 suspected of committing an offense.

15 SECTION 2. This Act takes effect September 1, 2023.