

## **BILL ANALYSIS**

Senate Research Center

S.B. 840  
By: Whitmire  
Criminal Justice  
6/26/2003  
Enrolled

### **DIGEST AND PURPOSE**

Currently, peace officers have the authority to arrest outside of their jurisdiction but municipal and county officers are expressly prohibited from making arrests outside their jurisdictions for traffic violations. The public does not always know jurisdictional boundaries exist and would expect a peace officer to take action when any crime is committed. S.B. 840 authorizes a peace officer who is outside his jurisdiction to arrest, without warrant, a person who commits an offense within the officer's presence or view, if the offense meets certain conditions.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 14.03(d), Code of Criminal Procedure, to authorize a peace officer who is outside his jurisdiction to arrest, without warrant, a person who commits an offense within the officer's presence or view, if the offense is a felony, a violation of Chapter 42 (Disorderly Conduct and Related Offenses) or 49 (Intoxication and Alcoholic Beverage Offenses), Penal Code, or a breach of the peace. Deletes existing text relating to a violation of Title 9 and Section 42.09 (Public Intoxication), Penal Code.

SECTION 2. Effective date: September 1, 2003.