

By: Talton

H.B. No. 982

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a peace officer to make a warrantless arrest when a person confesses to committing a felony.

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

SECTION 1. Article 14.04, Code of Criminal Procedure, is amended to read as follows:

Art. 14.04. WHEN A FELONY HAS BEEN COMMITTED. (a) Where it is shown by satisfactory proof to a peace officer, upon the representation of a credible person, that a felony has been committed, and that the offender is about to escape, so that there is no time to procure a warrant, such peace officer may, without warrant, pursue and arrest the accused.

(b) A peace officer may, without obtaining a warrant, arrest a person if the person makes a statement to the peace officer that:

(1) would be admissible against the person under Article 38.21; and

(2) establishes probable cause to believe that the person has committed a felony.

SECTION 2. The change in law made by this Act applies only to a statement made to a peace officer on or after the effective date of this Act. A statement made before the effective date of this Act is covered by the law in effect when the statement was made, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2003.