

By: Staples

S.B. No. 110

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the offense of failing to report the  
commission of a felony.

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

SECTION 1. Chapter 38, Penal Code, is amended by adding  
Section 38.171 to read as follows:

Sec. 38.171. FAILURE TO REPORT FELONY. (a) A person  
commits an offense if the person:

(1) observes the commission of a felony under  
circumstances in which a reasonable person would believe that an  
offense had been committed in which serious bodily injury or death  
may have resulted; and

(2) fails to immediately report the commission of the  
offense to a peace officer or law enforcement agency under  
circumstances in which:

(A) a reasonable person would believe that the  
commission of the offense had not been reported; and

(B) the person could immediately report the  
commission of the offense without placing himself or herself in  
danger of suffering serious bodily injury or death.

(b) An offense under this section is a Class A misdemeanor.

SECTION 2. This Act takes effect September 1, 2003.