

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.