

1-1 By: Staples S.B. No. 110
1-2 (In the Senate - Filed November 13, 2002; January 29, 2003,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 16, 2003, reported favorably by the following vote: Yeas 4,
1-5 Nays 0; April 16, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of the offense of failing to report the
1-9 commission of a felony.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 38, Penal Code, is amended by adding
1-12 Section 38.171 to read as follows:

1-13 Sec. 38.171. FAILURE TO REPORT FELONY. (a) A person
1-14 commits an offense if the person:

1-15 (1) observes the commission of a felony under
1-16 circumstances in which a reasonable person would believe that an
1-17 offense had been committed in which serious bodily injury or death
1-18 may have resulted; and

1-19 (2) fails to immediately report the commission of the
1-20 offense to a peace officer or law enforcement agency under
1-21 circumstances in which:

1-22 (A) a reasonable person would believe that the
1-23 commission of the offense had not been reported; and

1-24 (B) the person could immediately report the
1-25 commission of the offense without placing himself or herself in
1-26 danger of suffering serious bodily injury or death.

1-27 (b) An offense under this section is a Class A misdemeanor.

1-28 SECTION 2. This Act takes effect September 1, 2003.

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