

By: Whitmire

S.B. No. 840

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to authority of certain peace officers to make arrests  
3 outside their jurisdictions.

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

5 SECTION 1. Article 14.03(g), Code of Criminal Procedure, is  
6 amended to read as follows:

7 (g)(1) A peace officer listed in Subdivision (4), Article  
8 2.12, Code of Criminal Procedure, may arrest a person who anywhere  
9 in this state commits an offense within the officer's presence or  
10 view, including an offense under Subtitle C, Title 7,  
11 Transportation Code.

12 (2) A peace officer listed in Subdivision (1), (2),  
13 (3), [~~(4)~~] or (5), Article 2.12, who is licensed under Chapter 1701  
14 [~~415~~], Occupations [~~Government~~] Code, and is outside of the  
15 officer's jurisdiction may arrest without a warrant a person who  
16 anywhere in this state commits an [~~any~~] offense within the  
17 officer's presence or view, except that an officer described by  
18 this subdivision who is outside the officer's jurisdiction may  
19 arrest a person for a violation of Subtitle C, Title 7,  
20 Transportation Code, only if the offense is committed in the county  
21 in which the peace officer serves as an elected official or in which  
22 the law enforcement agency employing the peace officer is located  
23 [~~officer is listed in Subdivision (4), Article 2.12~~].

24 (3) A peace officer making an arrest under this

1 subsection shall as soon as practicable after making the arrest  
2 notify a law enforcement agency having jurisdiction where the  
3 arrest was made. The law enforcement agency shall then take custody  
4 of the person committing the offense and take the person before a  
5 magistrate in compliance with Article 14.06.

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