

1-1 By: Whitmire S.B. No. 840
1-2 (In the Senate - Filed March 4, 2003; March 10, 2003, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 March 31, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; March 31, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 840 By: Whitmire

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to authority of certain peace officers to make arrests
1-11 outside their jurisdictions.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (g), Article 14.03, Code of Criminal
1-14 Procedure, is amended to read as follows:

1-15 (g)(1) A peace officer listed in Subdivision (4), Article
1-16 2.12, may arrest a person who anywhere in this state commits an
1-17 offense within the officer's presence or view, including an offense
1-18 under Subtitle C, Title 7, Transportation Code.

1-19 (2) A peace officer listed in Subdivision (1), (2),
1-20 (3), [~~(4)~~] or (5), Article 2.12, who is licensed under Chapter 1701
1-21 [~~415~~], Occupations [Government] Code, and is outside of the
1-22 officer's jurisdiction may arrest without a warrant a person who
1-23 anywhere in this state commits an [any] offense within the
1-24 officer's presence or view, except that an officer described by
1-25 this subdivision who is outside the officer's jurisdiction may
1-26 arrest a person for a violation of Subtitle C, Title 7,
1-27 Transportation Code, only if the offense is committed in a county or
1-28 counties in which the political subdivision employing the peace
1-29 officer is located [officer is listed in Subdivision (4), Article
1-30 2.12].

1-31 (3) A peace officer making an arrest under this
1-32 subsection shall as soon as practicable after making the arrest
1-33 notify a law enforcement agency having jurisdiction where the
1-34 arrest was made. The law enforcement agency shall then take custody
1-35 of the person committing the offense and take the person before a
1-36 magistrate in compliance with Article 14.06.

1-37 SECTION 2. This Act takes effect September 1, 2003.

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