

By: Whitmire

S.B. No. 1896

A BILL TO BE ENTITLED

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AN ACT

relating to the authority of a peace officer to make a warrantless arrest when a person confesses to committing a felony.

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

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

(a) Any peace officer may arrest, without warrant:

(1) persons found in suspicious places and under circumstances which reasonably show that such persons have been guilty of some felony, violation of Title 9, Chapter 42, Penal Code, breach of the peace, or offense under Section 49.02, Penal Code, or threaten, or are about to commit some offense against the laws;

(2) persons who the peace officer has probable cause to believe have committed an assault resulting in bodily injury to another person and the peace officer has probable cause to believe that there is danger of further bodily injury to that person;

(3) persons who the peace officer has probable cause to believe have committed the offense defined by Section 25.07, Penal Code (violation of Protective Order), if the offense is not committed in the presence of the peace officer; ~~or~~

(4) persons who the peace officer has probable cause to believe have committed an assault resulting in bodily injury to a member of the person's family or household; or

(5) a person who makes a statement to the peace officer

1 that would be admissible against the person under Article 38.21 and
2 establishes probable cause to believe that the person has committed
3 a felony.

4 SECTION 2. The change in law made by this Act applies only
5 to a statement made to a peace officer on or after the effective
6 date of this Act. A statement made before the effective date of
7 this Act is covered by the law in effect when the statement was
8 made, and the former law is continued in effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2003.