

1-1 By: Whitmire S.B. No. 1896  
1-2 (In the Senate - Filed April 2, 2003; April 7, 2003, read  
1-3 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 authority of a peace officer to make a warrantless  
1-9 arrest when a person confesses to committing a felony.

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

1-11 SECTION 1. Subsection (a), Article 14.03, Code of Criminal  
1-12 Procedure, is amended to read as follows:

1-13 (a) Any peace officer may arrest, without warrant:

1-14 (1) persons found in suspicious places and under  
1-15 circumstances which reasonably show that such persons have been  
1-16 guilty of some felony, violation of Title 9, Chapter 42, Penal Code,  
1-17 breach of the peace, or offense under Section 49.02, Penal Code, or  
1-18 threaten, or are about to commit some offense against the laws;

1-19 (2) persons who the peace officer has probable cause  
1-20 to believe have committed an assault resulting in bodily injury to  
1-21 another person and the peace officer has probable cause to believe  
1-22 that there is danger of further bodily injury to that person;

1-23 (3) persons who the peace officer has probable cause  
1-24 to believe have committed the offense defined by Section 25.07,  
1-25 Penal Code (violation of Protective Order), if the offense is not  
1-26 committed in the presence of the peace officer; ~~or~~

1-27 (4) persons who the peace officer has probable cause  
1-28 to believe have committed an assault resulting in bodily injury to a  
1-29 member of the person's family or household; or

1-30 (5) a person who makes a statement to the peace officer  
1-31 that would be admissible against the person under Article 38.21 and  
1-32 establishes probable cause to believe that the person has committed  
1-33 a felony.

1-34 SECTION 2. The change in law made by this Act applies only  
1-35 to a statement made to a peace officer on or after the effective  
1-36 date of this Act. A statement made before the effective date of  
1-37 this Act is covered by the law in effect when the statement was  
1-38 made, and the former law is continued in effect for that purpose.

1-39 SECTION 3. This Act takes effect September 1, 2003.

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