

By: Woolley

H.B. No. 915

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authority of a peace officer to make an arrest outside
3 of the officer's jurisdiction or to seize property while making the
4 arrest.

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

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

8 (g) (1) A peace officer listed in Subdivision (1), (2), [~~(3),~~
9 ~~(4),~~] or (5), Article 2.12, who is licensed under Chapter 1701
10 [~~415~~], Occupations [~~Government~~] Code, and is outside of the
11 officer's jurisdiction may arrest without a warrant a person who
12 commits any offense within the officer's presence or view, other
13 than [~~except that an officer who is outside the officer's~~
14 ~~jurisdiction may arrest a person for~~] a violation of Subtitle C,
15 Title 7, Transportation Code[~~, only if the officer is listed in~~
16 ~~Subdivision (4), Article 2.12~~].

17 (2) A peace officer listed in Subdivision (3), Article
18 2.12, who is licensed under Chapter 1701, Occupations Code, and is
19 outside of the officer's jurisdiction may arrest without a warrant
20 a person who commits any offense within the officer's presence or
21 view, except that an officer described in this subdivision who is
22 outside of that officer's jurisdiction may arrest a person for a
23 violation of Subtitle C, Title 7, Transportation Code, only if the
24 offense is committed in the county or counties in which the

1 municipality employing the peace officer is located.

2 (3) A peace officer making an arrest under this
3 subsection shall as soon as practicable after making the arrest
4 notify a law enforcement agency having jurisdiction where the
5 arrest was made. The law enforcement agency shall then take custody
6 of:

7 (A) the person committing the offense and take
8 the person before a magistrate in compliance with Article 14.06;
9 and

10 (B) any property seized during or after the
11 arrest as if the property had been seized by a peace officer of that
12 law enforcement agency.

13 SECTION 2. This Act takes effect September 1, 2005.