

1-1 By: Woolley (Senate Sponsor - Whitmire) H.B. No. 915  
1-2 (In the Senate - Received from the House March 31, 2005;  
1-3 April 5, 2005, read first time and referred to Committee on  
1-4 Criminal Justice; May 18, 2005, reported favorably by the  
1-5 following vote: Yeas 4, Nays 0; May 18, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to authority of a peace officer to make an arrest outside  
1-9 of the officer's jurisdiction or to seize property while making the  
1-10 arrest.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Article 14.03(g), Code of Criminal Procedure, is  
1-13 amended to read as follows:

1-14 (g)(1) A peace officer listed in Subdivision (1), (2), [~~(3)~~,  
1-15 ~~(4)~~,] or (5), Article 2.12, who is licensed under Chapter 1701  
1-16 [415], Occupations [Government] Code, and is outside of the  
1-17 officer's jurisdiction may arrest without a warrant a person who  
1-18 commits any offense within the officer's presence or view, other  
1-19 than [except that an officer who is outside the officer's  
1-20 jurisdiction may arrest a person for] a violation of Subtitle C,  
1-21 Title 7, Transportation Code[~~, only if the officer is listed in~~  
1-22 ~~Subdivision (4), Article 2.12].~~

1-23 (2) A peace officer listed in Subdivision (3), Article  
1-24 2.12, who is licensed under Chapter 1701, Occupations Code, and is  
1-25 outside of the officer's jurisdiction may arrest without a warrant  
1-26 a person who commits any offense within the officer's presence or  
1-27 view, except that an officer described in this subdivision who is  
1-28 outside of that officer's jurisdiction may arrest a person for a  
1-29 violation of Subtitle C, Title 7, Transportation Code, only if the  
1-30 offense is committed in the county or counties in which the  
1-31 municipality employing the peace officer is located.

1-32 (3) A peace officer making an arrest under this  
1-33 subsection shall as soon as practicable after making the arrest  
1-34 notify a law enforcement agency having jurisdiction where the  
1-35 arrest was made. The law enforcement agency shall then take custody  
1-36 of:

1-37 (A) the person committing the offense and take  
1-38 the person before a magistrate in compliance with Article 14.06;  
1-39 and

1-40 (B) any property seized during or after the  
1-41 arrest as if the property had been seized by a peace officer of that  
1-42 law enforcement agency.

1-43 SECTION 2. This Act takes effect September 1, 2005.

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