

AN ACT

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

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

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

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

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 907 passed the Senate on April 7, 2005, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 26, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 907 passed the House, with amendment, on May 19, 2005, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor