

By: White

H.B. No. 4516

A BILL TO BE ENTITLED

AN ACT

relating to the authority to arrest a person without a warrant.

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

SECTION 1. Article 14.01(a), Code of Criminal Procedure, is amended to read as follows:

(a) Any [~~A peace officer or any other~~] person~~[,]~~ may, without a warrant, arrest an offender for an [~~when the~~] offense classified [~~is committed in his presence or within his view, if the offense is one classed~~] as a felony or as an offense against the public peace if the offense is committed in the person's presence or within the person's view.

SECTION 2. Article 15.22, Code of Criminal Procedure, is amended to read as follows:

Art. 15.22. WHEN A PERSON IS ARRESTED. A person is arrested when the person [~~he~~] has been actually placed under restraint or taken into custody by an officer or person executing a warrant of arrest, or by an officer or person arresting without a warrant under Article 14.01.

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the

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1 effective date of this Act if any element of the offense occurred
2 before that date.

3 SECTION 4. This Act takes effect September 1, 2021.