IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 115

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

1   AN ACT
2 RELATING TO PEACE OFFICERS; AMENDING SECTION 19-603, IDAHO CODE, TO AUTHO-
3   RIZE A PEACE OFFICER TO ARREST A PERSON WITHOUT A WARRANT IN CERTAIN IN-
4   STANCES AND TO MAKE TECHNICAL CORRECTIONS.

5 Be It Enacted by the Legislature of the State of Idaho:

6   SECTION 1. That Section 19-603, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8   19-603.   WHEN PEACE OFFICER MAY ARREST. A peace officer may make an ar-
9 rest in obedience to a warrant delivered to him, or may, without a warrant,
10 arrest a person:
11   1. For a public offense committed or attempted in his presence.
12   2. When a person arrested has committed a felony, although not in his
13 presence.
14   3. When a felony has in fact been committed and he has reasonable cause
15 for believing the person arrested to have committed it.
16   4. On a charge made, upon a reasonable cause, of the commission of a
17 felony by the party arrested.
18   5. At night, when there is reasonable cause to believe that he has com-
19 mitted a felony.
20   6. When upon immediate response to a report of a commission of a crime
21 there is probable cause to believe, that the person arrested has committed
22 a violation of section 18-902 (assault), 18-903 (battery), 18-918 (domes-
23 tic ~~assault or battery~~ violence), 18-7905 (first-degree stalking), 18-7906
24 (second-degree stalking), 39-6312 (violation of a protection order), ~~or~~
25 18-920 (violation of a no contact order), or 18-3302I (threatening violence
26 upon school grounds -- firearms and other deadly or dangerous weapons),
27 Idaho Code.
28   7. When there is reasonable cause to believe, based upon physical evi-
29 dence observed by the officer or statements made in the presence of the offi-
30 cer upon immediate response to a report of a commission of a crime aboard an
31 aircraft, that the person arrested has committed such a crime.