

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 467

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO ARRESTS; AMENDING SECTION 19-603, IDAHO CODE, TO REVISE A PROVISION REGARDING WHEN A PEACE OFFICER MAY MAKE AN ARREST.

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

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

19-603. WHEN PEACE OFFICER MAY ARREST. A peace officer may make an arrest in obedience to a warrant delivered to him, or may, without a warrant, arrest a person:

1. For a public offense committed or attempted in his presence.
2. When a person arrested has committed a felony, although not in his presence.
3. When a felony has in fact been committed and he has reasonable cause for believing the person arrested to have committed it.
4. On a charge made, upon a reasonable cause, of the commission of a felony by the party arrested.
5. At night, when there is reasonable cause to believe that he has committed a felony.
6. When upon immediate response to a report of a commission of a crime there is probable cause to believe that the person has committed a violation of section ~~18-901 (assault), 18-903 (battery),~~ 18-918 (felony domestic violence), 18-7905 (first-degree stalking), ~~18-7906 (second-degree stalking), 39-6312 (violation of a protection order),~~ 18-920 (felony violation of a no contact order), or 18-3302I (felony threatening violence upon school grounds -- firearms and other deadly or dangerous weapons), Idaho Code.
7. When there is reasonable cause to believe, based upon physical evidence observed by the officer or statements made in the presence of the officer upon immediate response to a report of a commission of a crime aboard an aircraft, that the person arrested has committed such a crime.