

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 209

BY WAYS AND MEANS COMMITTEE

AN ACT

1
2 RELATING TO PEACE OFFICERS; AMENDING SECTION 19-603, IDAHO CODE, TO REVISE
3 A PROVISION REGARDING A PERSON WHO HAS COMMITTED A VIOLATION, TO AUTHO-
4 RIZE A PEACE OFFICER TO ARREST A PERSON WITHOUT A WARRANT IN CERTAIN IN-
5 STANCES, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL COR-
6 RECTIONS.

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

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

10 19-603. WHEN PEACE OFFICER MAY ARREST. A peace officer may make an ar-
11 rest in obedience to a warrant delivered to him, or may, without a warrant,
12 arrest a person:

13 1. For a public offense committed or attempted in his presence.

14 2. When a person arrested has committed a felony, although not in his
15 presence.

16 3. When a felony has in fact been committed and he has reasonable cause
17 for believing the person arrested to have committed it.

18 4. On a charge made, upon a reasonable cause, of the commission of a
19 felony by the party arrested.

20 5. At night, when there is reasonable cause to believe that he has com-
21 mitted a felony.

22 6. When upon immediate response to a report of a commission of a crime
23 there is probable cause to believe, that the person ~~arrested~~ has committed
24 a violation of section 18-902~~1~~ (assault), 18-903 (battery), 18-918 (domes-
25 tic ~~assault or battery~~ violence), 18-7905 (first-degree stalking), 18-7906
26 (second-degree stalking), 39-6312 (violation of a protection order), ~~or~~
27 18-920 (violation of a no contact order), or 18-3302I (threatening violence
28 upon school grounds -- firearms and other deadly or dangerous weapons),
29 Idaho Code.

30 7. When there is reasonable cause to believe, based upon physical evi-
31 dence observed by the officer or statements made in the presence of the offi-
32 cer upon immediate response to a report of a commission of a crime aboard an
33 aircraft, that the person arrested has committed such a crime.