
DIGEST

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Terry Landry

HB No. 1108

Abstract: Prohibits a magistrate from making an arrest without a warrant or issuing a warrant for arrest for a school employee for certain acts committed during the course and scope of his employment.

Proposed law prohibits a magistrate from issuing a warrant for arrest for any school employee for a misdemeanor act committed during the course and scope of employment and further authorizes the issuance of a summons.

Present law authorizes arrest without a warrant by a peace officer when the person to be arrested has committed certain offenses in his presence, certain offenses not in the presence of the officer, or the peace officer has received positive and reliable information that another peace officer from this state or another state within the U.S. holds an arrest warrant.

Present law authorizes the peace officer to enter another jurisdiction to make an arrest without a warrant when in close pursuit.

Proposed law retains present law and prohibits a magistrate from making an arrest without a warrant for a school employee that commits a misdemeanor act during the course and scope of his employment and further authorizes the issuance of a summons.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends C.Cr.P. Art. 213; Adds C.Cr.P. Art. 202(F))