

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 1108 by Representative Terry Landry

CRIME: Provides with respect to the issuance of arrest warrants by magistrates

Synopsis of Senate Amendments

1. Amends proposed law to provide that no magistrate shall issue a warrant of arrest for a school employee for any misdemeanor act allegedly committed on school premises or at a school-sanctioned event during the course and scope of the school employee's employment.
2. Makes technical corrections to the proposed amendments.

Digest of Bill as Finally Passed by Senate

Proposed law prohibits a magistrate from issuing a warrant for arrest for any school employee for a misdemeanor act committed on school premises or at a school-sanctioned event 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 issuing a warrant for arrest for a school employee that commits a misdemeanor act on school premises or at a school-sanctioned event during the course and scope of the school employee's employment and requires the issuance of a summons in such cases.

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))