

**HOUSE AMENDMENT NO. \_\_\_\_\_**  
**TO**  
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**Offered By**

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1 AMEND House Amendment No. \_\_\_\_\_ to House Committee Substitute for Senate Substitute No. 2  
2 for Senate Bill No. 26, Page 2, Line 15, by inserting after said line the following:

3  
4 "Further amend said bill, Page 4, Section 574.085, Line 22, by inserting after said section and line  
5 the following:

6  
7 "575.180. 1. A law enforcement officer commits the offense of failure to execute an arrest  
8 warrant if, with the purpose of allowing any person charged with or convicted of a crime to escape,  
9 he or she fails to execute any arrest warrant, capias, or other lawful process ordering apprehension  
10 or confinement of such person, which he or she is authorized and required by law to execute.

11 2. The offense of failure to execute an arrest warrant is a class A misdemeanor, unless the  
12 offense involved is a felony, in which case failure to execute an arrest warrant is a class E felony.

13 3. It shall be an affirmative defense to prosecution under this section that the law  
14 enforcement officer acted under exigent circumstances in failing to execute an arrest warrant on a  
15 person who has committed a misdemeanor offense under chapter 301, 302, 304, or 307 or a  
16 misdemeanor traffic offense in another state. "; and"; and

17  
18 Further amend said bill by amending the title, enacting clause, and intersectional references  
19 accordingly.

20  
21 THIS AMENDMENT AMENDS 0828H05.01H.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_