

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 785, Page 3, Section 8.178, Line 8, by
2 inserting after said section and line the following:

3
4 "575.180. 1. A law enforcement officer commits the offense of failure to execute an arrest
5 warrant if, with the purpose of allowing any person charged with or convicted of a crime to escape,
6 he or she fails to execute any arrest warrant, capias, or other lawful process ordering apprehension
7 or confinement of such person, which he or she is authorized and required by law to execute.

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

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

14
15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.

Action Taken _____ Date _____