

CHAPTER 532

H.B. No. 1175

AN ACT

relating to certain arrests made without warrants.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Article 14.05, Code of Criminal Procedure, is amended to read as follows:

Art. 14.05. RIGHTS OF OFFICER. In each case enumerated where arrests may be lawfully made without warrant, the officer or person making the arrest is justified in adopting all the measures which he might adopt in cases of arrest under warrant, *except that an officer making an arrest without a warrant may not enter a residence to make the arrest unless:*

- (1) a person who resides in the residence consents to the entry; or*
- (2) exigent circumstances require that the officer making the arrest enter the residence without the consent of a resident or without a warrant.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 30, 1987, by a non-record vote. Passed by the Senate on May 22, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 17, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.