

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 427, Page 7, Section 479.360, Line 31, by  
2 inserting after all of 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; except that,  
13 the provisions of this subsection shall not apply to the following offenses:

14 (1) Failure to drive in a careful and prudent manner under section 304.012;

15 (2) Driving with a cancelled, suspended, or revoked license under section 302.321; or

16 (3) Operating a motor vehicle without a proper license under section 302.020.

17 4. A law enforcement officer shall be immune from civil liability for failing to execute an  
18 arrest warrant as provided under subsection 3 of this section."; and

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

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