

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

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 291, Page 23, Section 488.5050, Line 21, by inserting after all of said section and  
3 line the following:  
4

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

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

11 3. It shall be an affirmative defense to prosecution under this section that the law  
12 enforcement officer acted under exigent circumstances in failing to execute an arrest warrant on a  
13 person who has committed a misdemeanor offense under chapter 301, 302, 304, or 307; except that,  
14 the provisions of this subsection shall not apply to the following offenses:

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

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

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

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

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

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