

1 **PEACE OFFICER AUTHORITY**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Mike Dmitrich**

5 AN ACT RELATING TO THE CODE OF CRIMINAL PROCEDURE; ALLOWING PEACE  
6 OFFICERS TO ARREST PERSONS SUSPECTED OF CLASS A MISDEMEANORS IN THE  
7 SAME MANNER AS THOSE SUSPECTED OF COMMITTING FELONIES.

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10 **77-7-2**, as last amended by Chapter 161, Laws of Utah 1986

11 *Be it enacted by the Legislature of the state of Utah:*

12 Section 1. Section **77-7-2** is amended to read:

13 **77-7-2. Arrest by peace officers.**

14 A peace officer may make an arrest under authority of a warrant or may, without warrant,  
15 arrest a person:

16 (1) for any public offense committed or attempted in the presence of any peace officer;  
17 "presence" includes all of the physical senses or any device that enhances the acuity, sensitivity,  
18 or range of any physical sense, or records the observations of any of the physical senses;

19 (2) when he has reasonable cause to believe a felony or a class A misdemeanor has been  
20 committed and has reasonable cause to believe that the person arrested has committed it;

21 (3) when he has reasonable cause to believe the person has committed a public offense,  
22 and there is reasonable cause for believing the person may:

23 (a) flee or conceal himself to avoid arrest;

24 (b) destroy or conceal evidence of the commission of the offense; or

25 (c) injure another person or damage property belonging to another person.

---

---

**Legislative Review Note**

**as of 1-25-99 11:06 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**