

~~(VI)--A--REGULARLY--EMPLOYED--DEPUTY--SHERIFF
OF--ANY--COUNTY--AND--WHO--IS--COMPENSATED--BY--THE--COUNTY--AND--WHOSE
USUAL--DUTIES--INCLUDE--THE--MAKING--OF--ARRESTS--~~

(A) (1) "FRESH PURSUIT" MEANS PURSUIT UNDER THE
CIRCUMSTANCES LISTED IN SUBSECTION (C) OF THIS SECTION.

(2) THIS PURSUIT SHALL BE CONTINUOUS AND WITHOUT
UNREASONABLE DELAY, BUT DOES NOT REQUIRE INSTANT PURSUIT.
IN DETERMINING IF THE PURSUIT MEETS THESE ELEMENTS, THE
COURT SHALL APPLY THE REQUIREMENTS OF THE COMMON LAW
DEFINITION OF FRESH PURSUIT WHICH PERTAINS TO THESE
ELEMENTS.

(B) UNDER THE CIRCUMSTANCES PROVIDED BY SUBSECTION (C)
OF THIS SECTION, A PEACE LAW ENFORCEMENT OFFICER MAY:

(1) ARREST A PERSON ANYWHERE IN THIS STATE AND
HOLD THAT PERSON IN CUSTODY; AND

(2) RETURN THE PERSON TO THE JURISDICTION IN
WHICH A COURT HAS PROPER VENUE FOR THE CRIMINAL OFFENSE
ALLEGED TO HAVE BEEN COMMITTED BY THE PERSON.

~~(G)--A--PEACE--OFFICER--MAY--EXERCISE--THE--AUTHORITY
PROVIDED--BY--SUBSECTION--(B)--OF--THIS--SECTION--WHEN--~~

~~(1)--IN--FRESH--PURSUIT--OF--A--PERSON--WHO--IS
REASONABLY--BELIEVED--BY--THE--PEACE--OFFICER--TO--HAVE--COMMITTED--A
VIOLATION--OF--THE--LAW--IN--THE--PEACE--OFFICER'S--JURISDICTION,--IF
THE--PEACE--OFFICER--HAS--THE--POWER--OF--ARREST--FOR--THE--VIOLATION
IN--HIS--JURISDICTION,--OR~~

~~(2)--THE--PEACE--OFFICER--REASONABLY--BELIEVED--THE
PERSON--TO--HAVE--COMMITTED--OR--ATTEMPTED--TO--COMMIT--A--FELONY--IN
THIS--STATE,--OR~~

~~(3)--THE--PEACE--OFFICER--HOLDS--A--WARRANT--FOR--THE
ARREST--OF--THE--PERSON--~~

(C) A LAW ENFORCEMENT OFFICER MAY ENGAGE IN THE FRESH
PURSUIT OF A PERSON AND EXERCISE THE AUTHORITY PROVIDED BY
SUBSECTION (B), IF THE PERSON:

(1) HAS COMMITTED OR IS REASONABLY BELIEVED BY
THE LAW ENFORCEMENT OFFICER TO HAVE COMMITTED A FELONY IN
THE JURISDICTION IN WHICH THE LAW ENFORCEMENT OFFICER HAS
THE POWER OF ARREST; OR

(2) HAS COMMITTED A MISDEMEANOR IN THE PRESENCE
OF THE LAW ENFORCEMENT OFFICER AND IN THE JURISDICTION IN
WHICH THE LAW ENFORCEMENT OFFICER HAS THE POWER OF ARREST.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act
shall take effect July 1, 1980.