

**Senate Study Bill 1202 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON ZAUN)

**A BILL FOR**

1 An Act relating to the authority of a peace officer to make an  
2 arrest anywhere within the state.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 804.7, Code 2023, is amended to read as  
2 follows:

3 **804.7 Arrests by peace officers.**

4 1. A peace officer may make an arrest ~~in obedience to a~~  
5 ~~warrant delivered to the peace officer, and without a warrant~~  
6 under any of the following circumstances:

7 ~~1.~~ a. For a public offense committed or attempted in the  
8 peace officer's presence.

9 ~~2.~~ b. Where a public offense has in fact been committed,  
10 and the peace officer has reasonable ~~ground~~ grounds for  
11 believing that the person to be arrested has committed it.

12 ~~3.~~ c. Where the peace officer has reasonable ~~ground~~ grounds  
13 for believing that an indictable public offense has been  
14 committed and has reasonable ~~ground~~ grounds for believing that  
15 the person to be arrested has committed it.

16 ~~4.~~ d. Where the peace officer has received from the  
17 department of public safety, or from any other peace officer of  
18 this state or any other state or the United States an official  
19 communication by bulletin, radio, telegraph, telephone, or  
20 otherwise, informing the peace officer that a warrant has been  
21 issued and is being held for the arrest of the person to be  
22 arrested on a designated charge.

23 ~~5.~~ e. If the peace officer has reasonable grounds for  
24 believing that domestic abuse, as defined in [section 236.2](#),  
25 has occurred and has reasonable grounds for believing that the  
26 person to be arrested has committed it.

27 ~~6.~~ f. As required by [section 236.12, subsection 2](#).

28 2. A peace officer, as defined in section 801.4, shall  
29 have the authority to make an arrest, pursuant to subsection  
30 1 anywhere within the state. However, a peace officer shall  
31 not establish routine patrol outside of the jurisdiction of the  
32 peace officer's employing agency.

33

EXPLANATION

34 The inclusion of this explanation does not constitute agreement with  
35 the explanation's substance by the members of the general assembly.

1 This bill relates to the authority of a peace officer to make  
2 an arrest anywhere within the state.

3 The bill provides that the authority of a peace officer  
4 to make an arrest under the following conditions extends to  
5 anywhere within the state: a public offense committed or  
6 attempted in the peace officer's presence; where a public  
7 offense has in fact been committed, and the peace officer has  
8 reasonable grounds for believing that the person to be arrested  
9 has committed it; where the peace officer has reasonable  
10 grounds for believing that an indictable public offense  
11 has been committed and that the person to be arrested has  
12 committed it; where the peace officer has received an official  
13 communication by bulletin, radio, telegraph, telephone, or  
14 otherwise, informing the peace officer that a warrant has  
15 been issued and is being held for the arrest of the person  
16 to be arrested on a designated charge; the peace officer has  
17 reasonable grounds for believing that domestic abuse has  
18 occurred and has reasonable grounds for believing that the  
19 person to be arrested has committed it; or as required by Code  
20 section 236.12(2) (domestic abuse).

21 The bill provides that a peace officer shall not establish  
22 routine patrol outside of the jurisdiction of the peace  
23 officer's employing agency.

24 "Peace officer", as defined in Code section 801.4,  
25 includes sheriffs and their regular deputies who are subject  
26 to mandated law enforcement training, marshals and police  
27 officers of cities, peace officer members of the department of  
28 public safety, parole officers, probation officers, special  
29 security officers employed by board of regents institutions,  
30 conservation officers, employees of the department of  
31 transportation designated as peace officers by resolution of  
32 the department, employees of an aviation authority designated  
33 as peace officers by the authority, and such persons as may be  
34 otherwise so designated by law.