

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

(D) AUTHORITY OF OFFICER ENGAGED IN FRESH PURSUIT.

A LAW ENFORCEMENT OFFICER WHO IS ENGAGED IN FRESH PURSUIT OF A PERSON MAY:

(1) ARREST THE PERSON ANYWHERE IN THE STATE AND HOLD THE PERSON IN CUSTODY; AND

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

REVISOR'S NOTE: Subsection (a) of this section is new language added to clarify that this section applies to intrastate fresh pursuit cases.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 27, § 602A.

In subsection (b) of this section, the former definition of "fresh pursuit" as "pursuit under the circumstances listed in subsection (c) of this section" is deleted as unnecessary. Former Art. 27, § 602A(c) is revised as a substantive provision in subsection (c) of this section. A cross-reference to the revised substantive provision in a definition section is redundant and unnecessary.

In the introductory language of subsection (c) of this section, the former reference to a law enforcement officer "exercis[ing] the authority provided by subsection (b)" is deleted as unnecessary in light of subsection (d) of this section, which sets forth the authority of a law enforcement officer who is engaged in fresh pursuit.

In the introductory language of subsection (d) of this section, the reference to a law enforcement officer "who is engaged in fresh pursuit" is substituted for the former phrase "[u]nder the circumstances provided by subsection (c) [now (d)] of this section" for clarity and to eliminate an unnecessary cross-reference.

Defined term: "Person" § 1-101

2-302. RESERVED.

2-303. RESERVED.

PART II. UNIFORM ACT ON FRESH PURSUIT.

2-304. DEFINITIONS.

(A) IN GENERAL.