

By: Senator(s) Robertson, Farris

To: Judiciary

## SENATE BILL NO. 2327

1 AN ACT TO AMEND SECTION 97-9-73, MISSISSIPPI CODE OF 1972, TO  
2 CREATE THE CRIME OF FLEEING OR ELUDING A LAW ENFORCEMENT OFFICER  
3 IN A MOTOR VEHICLE; AND FOR RELATED PURPOSES. BE IT ENACTED BY  
4 THE LEGISLATURE OF THE STATE OF MISSISSIPPI:  
5

6 SECTION 1. Section 97-9-73, Mississippi Code of 1972, is  
7 amended as follows:

8 97-9-73. (1) It shall be unlawful for any person to  
9 obstruct or resist by force, or violence, or threats, or in any  
10 other manner, his lawful arrest or the lawful arrest of another  
11 person by any state, local or federal law enforcement officer, and  
12 any person or persons so doing shall be guilty of a misdemeanor,  
13 and upon conviction thereof, shall be punished by a fine of not  
14 more than Five Hundred Dollars (\$500.00), or by imprisonment in  
15 the county jail not more than six (6) months, or both.

16 (2) (a) It is unlawful for the operator of any vehicle  
17 knowingly and willfully to refuse or fail to stop the vehicle in  
18 compliance with the directive of a duly authorized law enforcement  
19 officer or, having stopped in knowing compliance with the  
20 directive, willfully to flee in an attempt to elude the officer,  
21 and a person who violates this subsection, upon conviction, shall  
22 be punished by imprisonment in the county jail for a period not to  
23 exceed one (1) year, or by a fine not to exceed One Thousand  
24 Dollars (\$1,000.00), or by both fine and imprisonment.

25 (b) Any person who, in the course of unlawfully fleeing  
26 or attempting to elude a law enforcement officer in an authorized  
27 law enforcement patrol vehicle with agency insignia and other

28 jurisdiction markings prominently displayed on the vehicle with  
29 siren and lights activated, and having knowledge of an order to  
30 stop by a duly authorized law enforcement officer, causes the law  
31 enforcement officer to engage in a high-speed vehicle pursuit  
32 shall be guilty of a felony and, upon conviction, shall be  
33 committed to the custody of the Department of Corrections for a  
34 period not to exceed five (5) years, and by a fine not to exceed  
35 Five Thousand Dollars (\$5,000.00).

36 (c) The court may revoke, for a period not to exceed  
37 one (1) year, the driver's license of any person convicted under  
38 this subsection (2).

39 SECTION 2. This act shall take effect and be in force from  
40 and after July 1, 1999.