

By: Senator(s) Hawks, Minor, Hamilton, Mettetal, Carter, Kirby, Jordan (18th), Browning, Johnson (19th), Hall, Rayborn, Woodfield, White (5th), Burton, Moffatt

To: Judiciary

SENATE BILL NO. 2420

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:

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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) The driver of a motor vehicle who is given a visible or
17 audible signal by a law enforcement officer by hand, voice,
18 emergency light or siren directing the driver to bring his motor
19 vehicle to a stop when such signal is given by a law enforcement
20 officer acting in the lawful performance of duty who has a
21 reasonable suspicion to believe that the driver in question has
22 committed a crime, and who willfully fails to obey such direction
23 shall be guilty of a misdemeanor, and upon conviction shall be
24 punished by a fine not to exceed One Thousand Dollars (\$1,000.00)
25 or imprisoned in the county jail for a term not to exceed six (6)
26 months, or both.

27 (3) Any person who is guilty of violating subsection (2) of

28 this section by operating a motor vehicle in such a manner as to
29 indicate a reckless or willful disregard for the safety of persons
30 or property, or who so operates a motor vehicle in a manner
31 manifesting extreme indifference to the value of human life, shall
32 be guilty of a felony, and upon conviction thereof, shall be
33 punished by a fine not to exceed Five Thousand Dollars
34 (\$5,000.00), or by commitment to the custody of the State
35 Department of Corrections for not more than five (5) years, or
36 both.

37 (4) Any person who is guilty of violating subsection (2) of
38 this section, which violation results in serious bodily injury of
39 another, upon conviction shall be committed to the custody of the
40 Department of Corrections for not less than three (3) nor more
41 than twenty (20) years of imprisonment.

42 (5) Any person who is guilty of violating subsection (2) of
43 this section, which violation results in the death of another,
44 upon conviction shall be committed to the custody of the
45 Department of Corrections for not less than five (5) nor more than
46 forty (40) years.

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