

By: Walls, Carlton

To: Judiciary

SENATE BILL NO. 2728
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 97-9-73, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE CRIME OF RESISTING ARREST; AND FOR RELATED PURPOSES.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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

6 **[Until July 1, 2002, this section shall read as follows:]**

7 97-9-73. (1) It shall be unlawful for any person to
8 obstruct or resist by force, or violence, or threats, or in any
9 other manner, his lawful arrest or the lawful arrest of another
10 person by any state, local or federal law enforcement officer, and
11 any person or persons so doing shall be guilty of a misdemeanor,
12 and upon conviction thereof, shall be punished by a fine of not
13 more than Five Hundred Dollars (\$500.00), or by imprisonment in
14 the county jail not more than six (6) months, or both.

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

27 populated public area before stopping as long as the driver does
28 not exceed the speed limit.

29 [From and after July 1, 2002, this section shall read as
30 follows:]

31 97-9-73. It shall be unlawful for any person to obstruct or
32 resist by force, or violence, or threats, or in any other manner,
33 his lawful arrest or the lawful arrest of another person by any
34 state, local or federal law enforcement officer, and any person or
35 persons so doing shall be guilty of a misdemeanor, and upon
36 conviction thereof, shall be punished by a fine of not more than
37 Five Hundred Dollars (\$500.00), or by imprisonment in the county
38 jail not more than six (6) months, or both.

39 SECTION 2. This act shall take effect and be in force from
40 and after July 1, 2000.