HOUSE BILL NO. 1400

AN ACT TO AMEND SECTION 97-9-73, MISSISSIPPI CODE OF 1972, TO CREATE THE CRIME OF FLEEING OR ELUDING A LAW ENFORCEMENT OFFICER IN A MOTOR VEHICLE; AND FOR RELATED PURPOSES.

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

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

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

(2) It is unlawful for the operator of any vehicle who has committed a felony, in order to avoid capture or arrest for the commission of such offense, knowingly and wilfully to refuse or fail to stop the vehicle in compliance with the directive of a duly authorized law enforcement officer or, having stopped in knowing compliance with the directive, wilfully to flee in an attempt to elude the officer. A person who violates this subsection, upon conviction, shall be guilty of a felony and shall be punished by imprisonment in the county jail for a period not to exceed five (5) years, or by a fine not to exceed Five Thousand Dollars ($5,000.00), or by both such fine and imprisonment.

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.