

By: Representative Snowden

To: Judiciary B

HOUSE BILL NO. 356

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.

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

5 **SECTION 1.** Section 97-9-73, Mississippi Code of 1972, is
6 amended 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) It is unlawful for the operator of a motor vehicle,
16 having knowledge that he or she has been ordered to stop such
17 vehicle by a duly authorized law enforcement officer, willfully to
18 refuse or fail to stop the vehicle in compliance with such order
19 or, having stopped in knowing compliance with such order,
20 willfully to flee in an attempt to elude the officer, and a person
21 who violates this subsection shall be guilty of a misdemeanor and
22 upon conviction shall be punished by a fine not to exceed One
23 Thousand Dollars (\$1,000.00) or imprisoned in the county jail for
24 a term not to exceed six (6) months, or both.

25 (3) Any person who willfully flees or attempts to elude a
26 law enforcement officer in an authorized law enforcement patrol
27 vehicle with agency insignia and other jurisdictional markings



28 prominently displayed on the vehicle with siren and lights
29 activated, and during the course of the fleeing or attempted
30 eluding drives at high speed, or in any manner which demonstrates
31 a wanton disregard for the safety of persons or property, shall be
32 guilty of a felony, and upon conviction shall be punished by a
33 fine not to exceed Five Thousand Dollars (\$5,000.00) or by
34 commitment to the custody of the Department of Corrections for not
35 more than five (5) years, or both.

36 **SECTION 2.** This act shall take effect and be in force from
37 and after July 1, 2003.

