

By: Representative Snowden

To: Judiciary B

HOUSE BILL NO. 887

1 AN ACT TO CREATE ENHANCED PENALTIES FOR FLEEING OR ELUDING A  
2 LAW ENFORCEMENT OFFICER; TO AMEND SECTION 97-9-73, MISSISSIPPI  
3 CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** (1) Any person who commits a misdemeanor or  
6 felony offense and as a result willfully flees or attempts to  
7 elude a law enforcement officer in an authorized law enforcement  
8 patrol vehicle with agency insignia and other jurisdictional  
9 markings prominently displayed on the vehicle with siren and  
10 lights activated, and during the course of the fleeing or  
11 attempted eluding drives at high speed, or in any manner which  
12 demonstrates a reckless disregard for the safety of persons or  
13 property shall be subject to an enhanced penalty for such offense.

14 (2) Upon conviction of a misdemeanor, the court may impose  
15 up to six (6) additional months to the sentence if the court finds  
16 that the offender willfully fled or attempted to elude a law  
17 enforcement officer.

18 (3) Upon conviction of a felony, the court may impose up to  
19 eighteen (18) additional months to the sentence if the court finds  
20 that the offender willfully fled or attempted to elude a law  
21 enforcement officer.

22 (4) The provisions of this section are supplemental to any  
23 other penalties provided by law.

24 **SECTION 2.** Section 97-9-73, Mississippi Code of 1972, is  
25 amended as follows:

26 97-9-73. (1) It shall be unlawful for any person to  
27 obstruct or resist by force, or violence, or threats, or in any



28 other manner, his lawful arrest or the lawful arrest of another  
29 person by any state, local or federal law enforcement officer, and  
30 any person or persons so doing shall be guilty of a misdemeanor,  
31 and upon conviction thereof, shall be punished by a fine of not  
32 more than Five Hundred Dollars (\$500.00), or by imprisonment in  
33 the county jail not more than six (6) months, or both.

34 (2) Penalties for fleeing or eluding a law enforcement  
35 officer shall be as provided in Section 1 of this act.

36 **SECTION 3.** This act shall take effect and be in force from  
37 and after July 1, 2003.

