

By: Senator(s) Johnson (38th)

To: Judiciary

SENATE BILL NO. 2446

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) (a) Any person who commits a misdemeanor or felony
16 offense and as a result willfully flees or attempts to elude a law
17 enforcement officer in an authorized law enforcement patrol
18 vehicle with agency insignia and other jurisdictional markings
19 prominently displayed on the vehicle with siren and lights
20 activated, and during the course of the fleeing or attempted
21 eluding, drives at high speed, or in any manner which demonstrates
22 a reckless disregard for the safety of persons or property shall
23 be subject to an enhanced penalty for such offense.

24 (b) Upon conviction of a misdemeanor, the court may
25 impose up to (6) additional months to the sentence if the court
26 finds that the offender willfully fled or attempted to elude a law
27 enforcement officer.



28 (c) Upon conviction of a felony, the court may impose
29 up to eighteen (18) additional months to the sentence if the court
30 finds that the offender willfully fled or attempted to elude a law
31 enforcement officer.

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

