

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Cmte Sub for House Bill No. 1035

BY: Representative Bailey

1 **AMEND** by striking Sections 1 through 5 in their entirety and
2 renumbering succeeding sections.

3 **AMEND further** by striking lines 309 through 319 in their
4 entirety and inserting in lieu thereof the following:

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

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

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

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

30 (3) Law enforcement agencies shall adopt pursuit policies as
31 required by this act."

32 **AMEND FURTHER** on line 327 by inserting the following after
33 the period:

34 "Each state, county and law enforcement agency shall provide
35 pursuit training to all law enforcement officers who are
36 authorized to conduct vehicular pursuits."

37 **AMEND FURTHER** the title to conform.