

By: Senator(s) Jackson (15th), White,
Wilemon, Clarke, Fillingane, Morgan,
Albritton

To: Judiciary, Division B

SENATE BILL NO. 2442

1 AN ACT TO AMEND SECTION 97-9-72, MISSISSIPPI CODE OF 1972, TO
2 REVISE 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 97-9-72, Mississippi Code of 1972, is
6 amended as follows:

7 97-9-72. (1) The driver of a motor vehicle who is given a
8 visible or audible signal by a law enforcement officer by hand,
9 voice, emergency light or siren directing the driver to bring his
10 motor vehicle to a stop when such signal is given by a law
11 enforcement officer acting in the lawful performance of duty who
12 has a reasonable suspicion to believe that the driver in question
13 has committed a crime, and who willfully fails to obey such
14 direction shall be guilty of a * * * felony and, upon conviction,
15 shall be committed to the custody of the Department of Corrections
16 for not less than five (5) nor more than forty (40) years.

17 (2) It is a defense to prosecution under this section:

18 (a) That the law enforcement officer was not in uniform
19 or that no law enforcement vehicle used in the attempted stop was
20 clearly marked as a law enforcement vehicle; or

21 (b) That the driver proceeded in a safe manner to a
22 reasonably near well-lit public place before stopping.

23 **SECTION 2.** This act shall take effect and be in force from
24 and after its passage.