

By: Representative Aguirre

To: Judiciary B

HOUSE BILL NO. 1106

1 AN ACT TO ENACT THE "FREEDOM OF ROADWAY ACT" TO INCREASE THE
 2 PENALTIES FOR A PERSON CONVICTED OF WILLFULLY OBSTRUCTING THE
 3 FREE, CONVENIENT AND NORMAL USE OF ANY PUBLIC PASSAGEWAY,
 4 INCLUDING PUBLIC ROADS, HIGHWAYS AND FEDERAL INTERSTATE HIGHWAYS;
 5 TO AMEND SECTION 97-35-25, MISSISSIPPI CODE OF 1972, TO PROVIDE
 6 INCREASED PENALTIES FOR A FIRST OFFENSE; TO PROVIDE A MANDATORY
 7 TERM OF IMPRISONMENT AND INCREASED PENALTIES FOR A SECOND OR
 8 SUBSEQUENT OFFENSE; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** This act shall be known and may be cited as the
 11 "Freedom of Roadway Act."

12 **SECTION 2.** Section 97-35-25, Mississippi Code of 1972, is
 13 amended as follows:

14 97-35-25. (1) (a) It shall be unlawful for any person or
 15 persons to * * * willfully obstruct the free, convenient and
 16 normal use of any public sidewalk, street, highway, federal
 17 interstate highway, alley, road * * * or other passageway by
 18 impeding, hindering, stifling, retarding or restraining traffic or
 19 passage thereon, and any person or persons violating the
 20 provisions of this section shall be guilty of a misdemeanor * * *.



21 (b) Upon conviction * * * for a first offense, an
22 offender shall be * * * fined an amount not to exceed One Thousand
23 Five Hundred Dollars (\$1,500.00) or * * * imprisoned for a term
24 not exceeding one (1) year in the county jail * * *, or * * *
25 both * * *.

26 (c) Upon conviction for a second offense, an offender
27 shall be imprisoned for a term of at least thirty (30) days and
28 not to exceed one (1) year in the county jail. An offender
29 sentenced under this paragraph (c) may also be fined an amount not
30 to exceed Two Thousand Five Hundred Dollars (\$2,500.00) in
31 addition to the required term of imprisonment under this
32 paragraph.

33 (2) The provisions of this section are supplementary to the
34 provisions of any other statute of this state.

35 **SECTION 3.** This act shall take effect and be in force from
36 and after July 1, 2022.

