

By: Smith

To: Judiciary

SENATE BILL NO. 2735

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) The driver of a motor vehicle who is given a visible or
16 audible signal by a law enforcement officer by hand, voice,
17 emergency light or siren directing the driver to bring his motor
18 vehicle to a stop and who willfully fails to obey such direction
19 by increasing speed, extinguishing the vehicle lights or otherwise
20 attempting to flee or elude the officer is guilty of a
21 misdemeanor, and upon conviction thereof shall be punished by a
22 fine not to exceed One Thousand Dollars (\$1,000.00) or by
23 imprisonment for not more than one (1) year, or both, under the
24 following circumstances:

25 (a) When such signal is given by a law enforcement
26 officer acting in the lawful performance of duty;

27 (b) The officer giving the signal is in uniform; and
28 (c) If occurring at night, any vehicle driven by the
29 officer at the time the signal was given is adequately identified
30 as an official law enforcement vehicle.

31 SECTION 2. This act shall take effect and be in force from
32 and after July 1, 2000.