

By: Representative Compretta

To: Judiciary B

HOUSE BILL NO. 1400

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) It is unlawful for the operator of any vehicle who has
16 committed a felony, in order to avoid capture or arrest for the
17 commission of such offense, knowingly and wilfully to refuse or
18 fail to stop the vehicle in compliance with the directive of a
19 duly authorized law enforcement officer or, having stopped in
20 knowing compliance with the directive, wilfully to flee in an
21 attempt to elude the officer. A person who violates this
22 subsection, upon conviction, shall be guilty of a felony and shall
23 be punished by imprisonment in the county jail for a period not to
24 exceed five (5) years, or by a fine not to exceed Five Thousand
25 Dollars (\$5,000.00), or by both such fine and imprisonment.

26 SECTION 2. This act shall take effect and be in force from
27 and after July 1, 2001.