

SECOND REGULAR SESSION

# HOUSE BILL NO. 1433

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES MONACO, KELLY (36), BONNER, BURTON (Co-sponsors),  
SELBY, HARDING, HOSMER, ROBIRDS, VILLA AND BOUCHER.

Read 1<sup>st</sup> time January 10, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2841L.011

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### AN ACT

To repeal section 575.150, RSMo, and to enact in lieu thereof one new section relating to resisting or interfering with detention or stop of a vehicle, with a penalty provision.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 575.150, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 575.150, to read as follows:

575.150. 1. A person commits the crime of resisting or interfering with arrest, **detention, or stop** if, knowing that a law enforcement officer is making an arrest, or attempting to lawfully detain or stop an individual or vehicle, or the person reasonably should know that a law enforcement officer is making an arrest or attempting to lawfully detain or lawfully stop an individual or vehicle, for the purpose of preventing the officer from effecting the arrest, stop or detention, the person:

(1) Resists the arrest, stop or detention of such person by using or threatening the use of violence or physical force or by fleeing from such officer; or

(2) Interferes with the arrest, stop or detention of another person by using or threatening the use of violence, physical force or physical interference.

2. This section applies to arrests, stops or detentions with or without warrants and to arrests, stops or detentions for any crime, infraction or ordinance violation.

3. **A person is presumed to be fleeing a vehicle stop if that person continues to operate a motor vehicle after that person has seen or should have seen clearly visible emergency lights or has heard or should have heard an audible signal emanating from the law enforcement vehicle pursuing that person.**

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17           **4.** It is no defense to a prosecution pursuant to subsection 1 of this section that the law  
18 enforcement officer was acting unlawfully in making the arrest. However, nothing in this section  
19 shall be construed to bar civil suits for unlawful arrest.

20           [4.] **5.** Resisting[, by means other than flight,] or interfering with an arrest, **detention or**  
21 **stop** [for a felony] is a class D felony[; otherwise, resisting or interfering with arrest is a class  
22 A misdemeanor].