

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill Nos. 53 & 60, Page 87, Section 575.050, Line 17, by inserting after said section and line
3 the following:
4

5 "575.150. 1. A person commits the offense of resisting or interfering with arrest, detention,
6 or stop if he or she knows or reasonably should know that a law enforcement officer is making an
7 arrest or attempting to lawfully detain or stop an individual or vehicle, and for the purpose of
8 preventing the officer from effecting the arrest, stop or detention, he or she:

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

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

13 2. This section applies to:

14 (1) Arrests, stops, or detentions, with or without warrants;

15 (2) Arrests, stops, or detentions, for any offense, infraction, or ordinance violation; and

16 (3) Arrests for warrants issued by a court or a probation and parole officer.

17 3. A person commits the offense of resisting arrest by fleeing in or on a motor vehicle if he
18 or she resists an arrest, a stop, or a detention by fleeing in or on a motor vehicle from a law
19 enforcement officer and, during the course of fleeing, drives at a speed or in a manner that
20 demonstrates a disregard for the safety of any person or property, including that of the pursuing
21 officer or other occupants of the fleeing vehicle.

22 4. A person commits the offense of aggravated resisting arrest by fleeing in or on a motor
23 vehicle if he or she resists an arrest, a stop, or a detention by fleeing in or on a motor vehicle from a
24 law enforcement officer and, during the course of fleeing, drives at a speed or in a manner that
25 demonstrates a disregard for the safety of any person or property, including that of the pursuing
26 officer or other occupants of the fleeing vehicle, and that results in serious bodily injury or death to
27 another person, including any officer.

28 5. A person is presumed to be fleeing a vehicle stop if he or she continues to operate a motor
29 vehicle after he or she has seen or should have seen clearly visible emergency lights or has heard or
30 should have heard an audible signal emanating from the law enforcement vehicle pursuing him or
31 her.

32 [4.] 6. It is no defense to a prosecution pursuant to subsection 1, 3, or 4 of this section that
33 the law enforcement officer was acting unlawfully in making the arrest. However, nothing in this
34 section shall be construed to bar civil suits for unlawful arrest.

35 7. Nothing in this section shall be construed to require the state to prove in a prosecution
36 against a defendant that the defendant knew why he or she was being stopped, detained, or arrested.

Action Taken _____ Date _____

1 ~~[5.]~~ 8. The offense of resisting or interfering with an arrest is a class E felony for an arrest
2 for a:

- 3 (1) Felony;
4 (2) Warrant issued for failure to appear on a felony case; or
5 (3) Warrant issued for a probation violation on a felony case.

6
7 The offense of resisting an arrest, detention or stop in violation of subdivision (1) or (2) of
8 subsection 1 of this section is a class A misdemeanor~~[, unless the person fleeing creates a substantial~~
9 ~~risk of serious physical injury or death to any person, in which case it is a class E felony].~~ The
10 offense of resisting arrest by fleeing in or on a motor vehicle is a class E felony, unless the person
11 has been previously convicted under subsection 3 of this section, in which case it is a class D felony.
12 The offense of aggravated resisting arrest by fleeing in or on a motor vehicle is a class D felony,
13 unless the person has been previously convicted under subsection 4 of this section, in which case it
14 is a class C felony."; and

15
16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.