

SECOND REGULAR SESSION

SENATE BILL NO. 707

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SINGLETON.

Pre-filed December 10, 1999, and 1,000 copies ordered printed.

3134S.011

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 565.082, RSMo 1994, relating to crimes against law enforcement officers, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

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

Section A. Section 565.082, RSMo 1994, is repealed and two new sections enacted in lieu thereof, to be known as sections 565.082 and 575.530, to read as follows:

565.082. 1. A person commits the crime of assault of a law enforcement officer in the second degree if [he] **such person:**

- (1) Attempts to cause or knowingly causes physical injury to a law enforcement officer by means of a deadly weapon or dangerous instrument;
- (2) Recklessly causes serious physical injury to a law enforcement officer; [or]
- (3) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer[.]; **or**

(4) Knowingly attempts, by means of force, to take any deadly weapon or dangerous instrument from the possession of a law enforcement officer.

2. Assault of a law enforcement officer in the second degree is a class B felony.

575.530. 1. A person is guilty of evading a peace officer if **such person:**

- (1) Is operating a motor vehicle;**
- (2) Is directed to bring the motor vehicle to a stop by:**
 - (a) A verbal direction of a peace officer;**
 - (b) The activation of emergency lights or siren or both of a police vehicle; or**
 - (c) A peace officer conducted roadblock; and**

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

(3) Takes deliberate actions to avoid being stopped by a peace officer.

2. Evading a peace officer is a class C felony if:

(1) The purpose of the evasion is to avoid the detection of a felony act;

(2) The purpose of the evasion is to avoid a felony arrest;

(3) In the act of evasion, such person causes property damage to another;

(4) In the act of evasion, such person causes physical injury to another person;

(5) In the act of evasion, such person commits three or more traffic violations;

(6) Such person has one or more prior convictions for evading a peace officer;

or

(7) Such evasion is committed in an intoxicated condition or under the influence of a controlled substance.

3. Evading a peace officer is a class A misdemeanor if:

(1) The purpose of the evasion is to avoid the detection of a misdemeanor act;

or

(2) The purpose of the evasion is to avoid a misdemeanor arrest.

✓

Bill

Copy