

# SENATE BILL NO. 820

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

3915S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 575, RSMo, by adding thereto one new section relating to the offense of aggravated fleeing a stop or detention of a motor vehicle, with penalty provisions.

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

Section A. Chapter 575, RSMo, is amended by adding thereto  
2 one new section, to be known as section 575.151, to read as  
3 follows:

575.151. 1. This section shall be known and may be  
2 cited as "Valentine's Law".

3 2. A person commits the offense of aggravated fleeing  
4 a stop or detention of a motor vehicle if he or she knows or  
5 reasonably should know that a law enforcement officer is  
6 attempting to detain or stop a motor vehicle, and for the  
7 purpose of preventing the officer from effecting the stop or  
8 detention, he or she flees and:

9 (1) Such person operates a motor vehicle at a high  
10 speed or in any manner which creates a substantial risk of  
11 serious physical injury or death to any person;

12 (2) As a result of such flight, causes physical injury  
13 to another person; or

14 (3) As a result of such flight, causes death to  
15 another person.

16 3. A person is presumed to be fleeing a vehicle stop  
17 or detention if he or she continues to operate a motor  
18 vehicle after he or she has seen or reasonably should have

19 seen clearly visible emergency lights or has heard or  
20 reasonably should have heard an audible signal emanating  
21 from the law enforcement vehicle pursuing him or her.

22 4. It is no defense to a prosecution pursuant to  
23 subsection 2 of this section that the law enforcement  
24 officer was acting unlawfully in making the arrest.  
25 However, nothing in this section shall be construed to bar  
26 civil suits for unlawful arrest. A person need not know the  
27 basis for the arrest, detention, or stop, only that the  
28 person was being stopped or detained.

29 5. The offense of aggravated fleeing a stop or  
30 detention in violation of subdivision (1) of subsection 2 of  
31 this section shall be a class D felony, without eligibility  
32 for probation, parole, or conditional release until the  
33 defendant has served no less than one year of such  
34 sentence. The offense of aggravated fleeing a stop or  
35 detention in violation of subdivision (2) of subsection 2 of  
36 this section shall be a class B felony. The offense of  
37 aggravated fleeing a stop or detention in violation of  
38 subdivision (3) of subsection 2 of this section shall be a  
39 class A felony.

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