

FIRST REGULAR SESSION

SENATE BILL NO. 686

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

Read 1st time March 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

2285S.011

AN ACT

To repeal section 575.150, RSMo, and to enact in lieu thereof one new section relating to the crime of resisting or interfering with arrest, detention, or stop, with penalty provisions.

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Section A. Section 575.150, RSMo, is repealed and one new section
2 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
2 arrest, detention, [or] stop, **or issuance of a warrant** if, knowing that a law
3 enforcement officer is making an arrest, [or] attempting to lawfully detain or stop
4 an individual or vehicle, **or attempting to issue a warrant for failure to**
5 **appear in court**, or the person reasonably should know that a law enforcement
6 officer is making an arrest [or], attempting to lawfully detain or lawfully stop an
7 individual or vehicle, **or attempting to issue a warrant for failure to**
8 **appear in court** for the purpose of preventing the officer from effecting the
9 arrest, stop [or], detention, **or issuance of the warrant**, the person:

10 (1) Resists the arrest, stop [or], detention, **or issuance of a warrant** of
11 such person by using or threatening the use of violence or physical force or by
12 fleeing from such officer; or

13 (2) Interferes with the arrest, stop [or], detention, **or issuance of a**
14 **warrant** of another person by using or threatening the use of violence, physical
15 force or physical interference.

16 2. This section applies to arrests, stops or detentions with or without
17 warrants and to arrests, stops or detentions for any crime, infraction or ordinance
18 violation, **or any warrant issued for failure to appear in court to answer**

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

19 **the charge of any crime, infraction, ordinance violation, or any alleged**
20 **probation or parole violation.**

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

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

29 5. Resisting or interfering with an arrest for a felony is a class D
30 felony. Resisting an arrest, detention or stop by fleeing in such a manner that
31 the person fleeing creates a substantial risk of serious physical injury or death
32 to any person is a class D felony; otherwise, resisting or interfering with an
33 arrest, detention or stop in violation of subdivision (1) or (2) of subsection 1 of
34 this section is a class A misdemeanor.

Bill ✓

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