

The Senate Judiciary Committee offered the following substitute to SB 297:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-6-395 of the Official Code of Georgia Annotated, relating to  
2 fleeing or attempting to elude a police officer and impersonating a law enforcement officer,  
3 so as to change certain provisions relating to penalties for violations of said Code section;  
4 to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

6 Code Section 40-6-395 of the Official Code of Georgia Annotated, relating to fleeing or  
7 attempting to elude a police officer and impersonating a law enforcement officer, is amended  
8 by striking subparagraph (A) of paragraph (5) of said Code section and inserting in its place  
9 the following:  
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11 "(5)(A) Any person violating the provisions of subsection (a) of this Code section who,  
12 while fleeing or attempting to elude a pursuing police vehicle or police officer in an  
13 attempt to escape arrest for a ~~felony~~ any offense other than a violation of this chapter,  
14 operates his or her vehicle in excess of 30 miles an hour above the posted speed limit,  
15 strikes or collides with another vehicle or a pedestrian, operates his or her vehicle in  
16 such a manner that a pursuing police officer in a police vehicle must strike or collide  
17 with his or her vehicle in order to stop it, flees in traffic conditions which place the  
18 general public at risk of receiving serious injuries, or leaves the state shall be guilty of  
19 a felony punishable by a fine of \$5,000.00 ~~and or~~ or imprisonment for not less than one  
20 year nor more than five years or both."

**SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.  
22