

The Senate Judiciary Committee offered the following substitute to SB 2:

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 modify certain conditions when such offense shall be treated as a felony offense; to
4 provide for related matters; to provide for an effective date and applicability; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7
8 Code Section 40-6-395 of the Official Code of Georgia Annotated, relating to fleeing or
9 attempting to elude a police officer and impersonating a law enforcement officer, is amended
10 by revising subparagraph (b)(5)(A) as follows:

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 any offense, other than a violation of this chapter; ~~not~~
14 expressly provided for in this paragraph:

15 (i) ~~operates~~ Operates his or her vehicle in excess of ~~30~~ 20 miles an hour above the
16 posted speed limit;

17 (ii) ~~strikes~~ Strikes or collides with another vehicle or a pedestrian;

18 (iii) ~~fleees~~ Flees in traffic conditions which place the general public at risk of receiving
19 serious injuries;

20 (iv) ~~Commits a violation of Code Section 40-6-391;~~ or

21 (v) ~~leaves~~ Leaves the state

22 shall be guilty of a felony punishable by a fine of \$5,000.00 or imprisonment for not
23 less than one year nor more than five years or both."

24

SECTION 2.

25

This Act shall become effective upon its approval by the Governor or upon its becoming law

26

without such approval and shall apply to offenses committed on or after such date.

27

SECTION 3.

28

All laws and parts of laws in conflict with this Act are repealed.