

Senate Bill 2

By: Senators Douglas of the 17th, Staton of the 18th, Jackson of the 24th and Murphy of the 27th

**AS PASSED SENATE**

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:

7 **SECTION 1.**

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) flees Flees in traffic conditions which place the general public at risk of receiving  
19 serious injuries;;

20 (iv) Commits a violation of paragraph (5) of subsection (a) of Code Section  
21 40-6-391; or

22 (v) leaves Leaves the state

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

25 **SECTION 2.**

26 This Act shall become effective upon its approval by the Governor or upon its becoming law  
27 without such approval and shall apply to offenses committed on or after such date.

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.