

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 871

By: Reinhardt

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishment; amending 21
8 O.S. 2021, Section 540A, which relates to eluding
9 peace officers; modifying certain penalty provisions;
10 updating statutory language; and providing an
11 effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 21 O.S. 2021, Section 540A, is
14 amended to read as follows:

15 Section 540A. A. Any operator of a motor vehicle who has
16 received a visual and audible signal, a red light, and a siren from
17 a peace officer driving a motor vehicle showing the same to be an
18 official police, sheriff, highway patrol, or state game ranger
19 vehicle directing the operator to bring the vehicle to a stop and
20 who willfully increases the speed or extinguishes the lights of the
21 vehicle in an attempt to elude such peace officer, or willfully
22 attempts in any other manner to elude the peace officer, or who does
23 elude such peace officer, is guilty of a misdemeanor. The peace
24 officer, while attempting to stop a violator of this section, may

1 communicate a request for the assistance of other peace officers
2 from any office, department, or agency. Any peace officer within
3 this state having knowledge of such request is authorized to render
4 such assistance in stopping the violator and may effect an arrest
5 under this section upon probable cause. Violation of this
6 subsection shall, upon conviction, constitute a misdemeanor ~~and~~
7 ~~shall be~~ punishable by not less than six (6) months nor more than
8 one (1) year imprisonment in the county jail ~~or,~~ by a fine ~~of~~ not
9 less than One Hundred Dollars (\$100.00) nor more than Two Thousand
10 Dollars (\$2,000.00), or by both such fine and imprisonment. A
11 second or subsequent violation of this subsection shall be
12 punishable by ~~not more than~~ one (1) year imprisonment in the county
13 jail ~~or,~~ by a fine ~~of~~ not less than Five Hundred Dollars (\$500.00)
14 nor more than Five Thousand Dollars (\$5,000.00), or by both such
15 fine and imprisonment.

16 B. Any person who violates the provisions of subsection A of
17 this section in such manner as to endanger any other person shall,
18 upon conviction, be deemed guilty of a felony punishable by
19 imprisonment in the ~~State Penitentiary~~ custody of the Department of
20 Corrections for a term ~~of~~ not less than ~~one (1) year~~ thirty (30)
21 months nor more than five (5) years, ~~or~~ by a fine ~~of~~ not less than
22 One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars
23 (\$5,000.00), or by both such fine and imprisonment.

1 C. 1. Any person who causes an accident, while eluding or
2 attempting to elude an officer, resulting in great bodily injury to
3 any other person while driving or operating a motor vehicle within
4 this state and who is in violation of the provisions of subsection A
5 of this section may be charged with a violation of the provisions of
6 this subsection. Any person who is convicted of a violation of the
7 provisions of this subsection shall be deemed guilty of a felony
8 punishable by imprisonment in ~~a state correctional institution~~ the
9 custody of the Department of Corrections for not less than ~~one (1)~~
10 ~~year and not~~ five (5) years nor more than ~~five (5)~~ seven (7) years,
11 and a fine ~~of~~ not more than Five Thousand Dollars (\$5,000.00).

12 2. As used in this subsection, "great bodily injury" means
13 bodily injury which creates a substantial risk of death or which
14 causes serious, permanent disfigurement or protracted loss or
15 impairment of the function of any bodily member or organ.

16 SECTION 2. This act shall become effective November 1, 2025.

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