

# HOUSE BILL NO. 247

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KELLEY (126) (Sponsor), REDMON, GATSCHENBERGER,  
LANT, DAVIS, WHITE, CONWAY (14), LONG, BAHR, BERRY, FRANKLIN, WYATT,  
SCHOELLER AND BRATTIN (Co-sponsors).

0531L.01I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 575, RSMo, by adding thereto one new section relating to false identification to a law enforcement officer, with a penalty provision.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 575, RSMo, is amended by adding thereto one new section, to be  
2 known as section 575.045, to read as follows:

**575.045. 1. A person commits the crime of false identification to a law enforcement  
2 officer if such person falsely represents or identifies himself or herself as another person  
3 or as a fictitious person to a law enforcement officer upon a lawful stop or a lawful  
4 detention, or an arrest of the person, either for the purpose of evading the process of the  
5 court, or for the purpose of evading the proper identification of the person by the law  
6 enforcement officer if:**

7       **(1) The false information is given while the law enforcement officer is engaged in  
8 the performance of his or her duties as a law enforcement officer; and**

9       **(2) The person providing the false information knows or should have known that  
10 the person receiving the information is a law enforcement officer.**

11       **2. It is a defense to a prosecution under subsection 1 of this section that the actor  
12 retracted the false statement or report before the law enforcement officer or any other  
13 person took substantial action in reliance thereon.**

14       **3. The defendant shall have the burden of injecting the issue of retraction under  
15 subsection 2 of this section.**

16       **4. False identification to a law enforcement officer is a class B misdemeanor.**

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.