

FIRST REGULAR SESSION

HOUSE BILL NO. 856

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WOOD.

1461H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 575.080 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 575.080 as enacted by senate bill no. 712, ninety-first general assembly, second regular session, and to enact in lieu thereof one new section relating to making a false coroner's report, with penalty provisions.

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

Section A. Section 575.080 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 575.080 as enacted by senate bill no. 712, ninety-first general assembly, second regular session, RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 575.080, to read as follows:

575.080. 1. A person commits the offense of making a false report if he or she knowingly:

(1) Gives false information to any person for the purpose of implicating another person in an offense; or

(2) Makes a false report to a law enforcement officer that an offense has occurred or is about to occur; or

(3) Makes a false report or causes a false report to be made to a law enforcement officer, security officer, fire department or other organization, official or volunteer, which deals with emergencies involving danger to life or property that a fire or other incident calling for an emergency response has occurred or is about to occur; or

(4) Makes a false coroner's report to a prosecutor, law enforcement officer, member of the media, attorney representing the deceased, or spouse or family member of the deceased.

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.

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

17 3. The defendant shall have the burden of injecting the issue of retraction under
18 subsection 2 of this section.

19 4. The offense of making a false report is a class B misdemeanor, **except if committed**
20 **under subdivision (4) of subsection 1 in which case making a false report is a class D felony.**

575.080. 1. A person commits the crime of making a false report if he knowingly:

2 (1) Gives false information to any person for the purpose of implicating another person
3 in a crime; or

4 (2) Makes a false report to a law enforcement officer that a crime has occurred or is
5 about to occur; or

6 (3) Makes a false report or causes a false report to be made to a law enforcement officer,
7 security officer, fire department or other organization, official or volunteer, which deals with
8 emergencies involving danger to life or property that a fire or other incident calling for an
9 emergency response has occurred or is about to occur; or

10 **(4) Makes a false coroner's report to a prosecutor, law enforcement officer, member**
11 **of the media, attorney representing the deceased, or spouse or family member of the**
12 **deceased.**

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

16 3. The defendant shall have the burden of injecting the issue of retraction under
17 subsection 2 of this section.

18 4. Making a false report is a class B misdemeanor, **except if committed under**
19 **subdivision (4) of subsection 1 in which case making a false report is a class D felony.**

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