

FIRST REGULAR SESSION

HOUSE BILL NO. 359

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LIPKE (Sponsor), PAGE,
DUSENBERG AND BROWN (30) (Co-sponsors).

Read 1st time January 26, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0161L.011

AN ACT

To amend chapter 575, RSMo, by adding thereto one new section relating to failure to provide identity, with a penalty provision.

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 575.185, to read as follows:

**575.185. 1. A person commits the crime of failure to provide identity when, having
2 been lawfully stopped or detained by a law enforcement officer, and having been requested
3 by the officer to provide his or her identification to the officer:**

4 **(1) That person knowingly refuses to state his or her name and address or to
5 provide documentation of his or her name or address, such as, but not limited to, a driver's
6 license, credit card, or Social Security card; or**

7 **(2) That person falsely reports his or her name or address to a law enforcement
8 officer.**

9 **2. For the purposes of this section, a person has been "lawfully stopped or
10 detained" by a law enforcement officer when the law enforcement officer has briefly
11 stopped and detained the person upon reasonable suspicion to believe that the person has
12 committed, is committing, or is about to commit a crime. "Reasonable suspicion" means
13 specific and articulable facts which, taken together with rational inferences from those
14 facts, would lead a reasonable person to conclude that the person has committed, is
15 committing, or is about to commit a crime. The collective information in the possession of**

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.

16 **all officers connected to an investigation can be considered in determining whether**
17 **reasonable suspicion existed for the stop or detention.**

18 **3. Failure to provide identity is a class C misdemeanor unless the person falsely**
19 **reported his or her name or address, in which case it is a class A misdemeanor.**