

SECOND REGULAR SESSION

HOUSE BILL NO. 1199

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TILLEY.

Pre-filed December 28, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3393L.01I

AN ACT

To repeal section 575.080, RSMo, and to enact in lieu thereof one new section relating to making a false report, with a penalty provision.

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

Section A. Section 575.080, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 575.080, to read as follows: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 crime of making a false report if [he] **such person** knowingly:

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

(2) Makes a false report to a law enforcement officer that a crime 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.

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

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

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 4. Making a false report is a class [B misdemeanor] **D felony**.

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