

HB 1638 -- False Identification

SPONSOR: Kelley

This bill specifies that a person commits the crime of false identification to a law enforcement officer, a class B misdemeanor, if he or she falsely represents or identifies himself or herself as another person or as a fictitious person to a law enforcement officer upon a lawful stop or detention, or upon an arrest, either for the purpose of evading the process of the court, or for the purpose of evading the proper identification of the person, if the false information is given while the officer is engaged in the performance of his or her duties and the person providing the false information knows or should have known that the person receiving the information is an officer.

It is a defense to a prosecution if the person retracts the false statement or report before the officer or any other person took substantial action in reliance on the false information.

The bill expands the crime of making a false declaration with the purpose to mislead a public servant in the performance of his or her duty, a class B misdemeanor, to include when a person provides any verbal false statement regarding his or her identity which the person believes or knows not to be true.

This bill is the same as HB 294 (2015).