

FIRST REGULAR SESSION

# HOUSE BILL NO. 176

101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ELLEBRACHT.

0167H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 575, RSMo, by adding thereto one new section relating to the offense of failure to identify, with penalty provisions.

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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 known as section 575.185, to read as follows:

**575.185. 1. A person commits the offense of failure to identify if the person intentionally refuses to give his or her name, address of residence, or date of birth to a peace officer who has lawfully arrested the person and requested the information. An offense under this subsection is a class D misdemeanor. However, if the person is a fugitive from justice at the time of the offense, the offense under this subsection is a class B misdemeanor.**

**2. A person commits the offense of failure to identify if the person intentionally gives a false or fictitious name, address of residence, or date of birth to a peace officer who has:**

**(1) Lawfully arrested the person; or**

**(2) Lawfully detained the person.**

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**An offense under this subsection is a class B misdemeanor. However, if the person is a fugitive from justice at the time of the offense, the offense under this subsection is a class A misdemeanor.**

**3. If conduct that constitutes an offense under this section also constitutes an offense under section 311.325, the offender shall be prosecuted only under section 311.325.**

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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.