

HB 1309 -- FAILURE TO IDENTIFY

SPONSOR: Ellebracht

This bill creates the offense of failure to identify. 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. The offense of failure to identify is a class D misdemeanor. If the person is a fugitive from justice at the time of the offense, the offense of failure to identify is a class B misdemeanor.

A person also 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 lawfully arrested or detained the person. Under this provision, the offense of failure to identify is a class B misdemeanor, unless the person is a fugitive from justice at the time of the offense, in which case it is a class A misdemeanor.