

FIRST REGULAR SESSION

HOUSE BILL NO. 1230

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FUCHS.

2738H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 575.080, RSMo, and to enact in lieu thereof one new section relating to the offense of 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Section A. Section 575.080, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 575.080, to read as follows: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 offense of making a false report if he or she knowingly:

(1) Gives false information to any person for the purpose of implicating another person in an offense; ~~[or]~~

(2) Makes a false report to a law enforcement officer that an offense 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; **or**

(4) Makes a false report or causes a false report to be made to a law enforcement officer or federal special investigator, an employee of a law enforcement agency, a correctional officer or jailer, an electronic portal, or a telephone hotline service that another person is in the United States illegally and the person knows that the information provided in the report is false or has no proof that the information is true.

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

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

21 4. The offense of making a false report is a class B misdemeanor.

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