
SENATE BILL 6463

State of Washington 64th Legislature 2016 Regular Session

By Senators Pearson, Darneille, O'Ban, Padden, and Dammeier

Read first time 01/21/16. Referred to Committee on Law & Justice.

1 AN ACT Relating to luring; amending RCW 9A.40.090; and
2 prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9A.40.090 and 2012 c 145 s 1 are each amended to
5 read as follows:

6 (1) A person commits the crime of luring if the person, with the
7 intent to harm the health, safety, or welfare of the minor or person
8 with a developmental disability or with the intent to facilitate the
9 commission of any crime:

10 ((+1))(a) Orders, lures, or attempts to lure a minor or a person
11 with a developmental disability into any area or structure that is
12 obscured from or inaccessible to the public, or away from any area or
13 structure constituting a bus terminal, airport terminal, or other
14 transportation terminal, or into a motor vehicle;

15 (b) Does not have the consent of the minor's parent or guardian
16 or of the guardian of the person with a developmental disability; and

17 (c) Is unknown to the child or developmentally disabled person.

18 (2) It is a defense to luring, which the defendant must prove by
19 a preponderance of the evidence, that the defendant's actions were
20 reasonable under the circumstances and the defendant did not have any

1 intent to harm the health, safety, or welfare of the minor or the
2 person with the developmental disability.

3 (3) For purposes of this section:

4 (a) "Minor" means a person under the age of sixteen;

5 (b) "Person with a developmental disability" means a person with
6 a developmental disability as defined in RCW 71A.10.020.

7 (4) Luring is a class C felony.

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