

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6258

Chapter 145, Laws of 2012

62nd Legislature
2012 Regular Session

LURING--MINORS OR PERSONS WITH DEVELOPMENTAL DISABILITIES

EFFECTIVE DATE: 01/01/13

Passed by the Senate February 8, 2012
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House February 27, 2012
YEAS 96 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved March 29, 2012, 3:26 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6258** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

March 29, 2012

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6258

Passed Legislature - 2012 Regular Session

State of Washington 62nd Legislature 2012 Regular Session

By Senate Judiciary (originally sponsored by Senators Stevens, Carrell, Kohl-Welles, Fraser, Delvin, Regala, and Roach)

READ FIRST TIME 02/03/12.

1 AN ACT Relating to unaccompanied persons; amending RCW 9A.40.090;
2 and providing an effective date.

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

4 **Sec. 1.** RCW 9A.40.090 and 1995 c 156 s 1 are each amended to read
5 as follows:

6 A person commits the crime of luring if the person:

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

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

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

15 (2) It is a defense to luring, which the defendant must prove by a
16 preponderance of the evidence, that the defendant's actions were
17 reasonable under the circumstances and the defendant did not have any
18 intent to harm the health, safety, or welfare of the minor or the
19 person with the developmental disability.

- 1 (3) For purposes of this section:
2 (a) "Minor" means a person under the age of sixteen;
3 (b) "Person with a developmental disability" means a person with a
4 developmental disability as defined in RCW 71A.10.020.
5 (4) Luring is a class C felony.

6 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2013.
Passed by the Senate February 8, 2012.
Passed by the House February 27, 2012.
Approved by the Governor March 29, 2012.
Filed in Office of Secretary of State March 29, 2012.