

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6463**

Chapter 11, Laws of 2016

64th Legislature  
2016 Regular Session

LURING MINOR OR PERSON WITH DEVELOPMENTAL DISABILITY--INTENT  
REQUIREMENT

EFFECTIVE DATE: 6/9/2016

Passed by the Senate February 12, 2016  
Yeas 47 Nays 0

BRAD OWEN

**President of the Senate**

Passed by the House March 2, 2016  
Yeas 97 Nays 0

FRANK CHOPP

**Speaker of the House of Representatives**

Approved March 10, 2016 10:01 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6463** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

**Secretary**

FILED

March 11, 2016

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6463**

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Passed Legislature - 2016 Regular Session

**State of Washington**

**64th Legislature**

**2016 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Pearson, Darneille, O'Ban, Padden, and Dammeier)

READ FIRST TIME 02/02/16.

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~~  
19       ~~by 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))~~ (3) Luring is a class C felony.

Passed by the Senate February 12, 2016.

Passed by the House March 2, 2016.

Approved by the Governor March 10, 2016.

Filed in Office of Secretary of State March 11, 2016.