
Public Safety Committee

SSB 6463

Brief Description: Concerning the crime of luring.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Pearson, Darneille, O'Ban, Padden and Dammeier).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Modifies the crime of Luring by requiring the prosecutor to prove that a defendant had the intent to harm the health, safety, or welfare of the minor or person with a developmental disability or to facilitate the commission of any crime.
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Hearing Date: 2/23/16

Staff: Kelly Leonard (786-7147).

Background:

A person commits the crime of Luring if the person:

- orders, lures, or attempts to lure a minor or a person with a developmental disability into any area or structure that is obscured from or inaccessible to the public, or away from any area or structure constituting a bus terminal, airport terminal, or other transportation terminal, or into a motor vehicle;
- does not have the consent of the minor's parent or guardian or of the guardian of the person with a developmental disability; and
- is unknown to the child or developmentally disabled person.

It is an affirmative defense to the crime of Luring, which the defendant must prove by a preponderance of the evidence, if the defendant acted reasonable under the circumstances and the defendant did not have any intent to harm the health, safety, or welfare of the minor or the person with the developmental disability.

Luring is an unranked class C felony.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

The affirmative defense to the crime of Luring is removed. The crime of Luring is modified. In addition to the current elements of the crime, the prosecutor must prove the defendant had the intent to harm the health, safety, or welfare of the minor or person with a developmental disability or to facilitate the commission of any crime.

Appropriation: None.

Fiscal Note: Requested on February 18, 2016.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.