

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6463

64th Legislature
2016 Regular Session

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

President of the Senate

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

Speaker of the House of Representatives

Approved

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.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6463

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.

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