
SUBSTITUTE SENATE BILL 5186

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators von Reichbauer, A. Smith, McCaslin, Prentice, Gaspard, Hargrove, Quigley, Winsley and Erwin)

Read first time 02/08/93.

1 AN ACT Relating to luring; adding a new section to chapter 9A.40
2 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.40 RCW
5 to read as follows:

6 A person who performs any act or communicates in any manner
7 intended to lure a minor child less than sixteen years old or an
8 incompetent person into an area obscured from or inaccessible to the
9 public, including a vehicle or structure, without the consent of the
10 minor's parent or guardian or the incompetent person's guardian, and
11 the person is unknown to the child or incompetent person, is guilty of
12 a class C felony, punishable under chapter 9A.20 RCW.

13 For purposes of this section, luring includes promises, deception,
14 offers of gifts or other enticement, threats, or voice authority, as
15 well as acts of physical coercion.

16 In any prosecution for luring, it is a defense if established by
17 the defendant by a preponderance of the evidence that the defendant's
18 actions are reasonable under the circumstances and there is no intent

1 to harm the health, safety, or welfare of the minor or incompetent
2 person.

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