
SENATE BILL 5039

State of Washington

54th Legislature

1995 Regular Session

By Senator Fairley

Read first time 01/09/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to luring; and amending RCW 9A.40.090.

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

3 **Sec. 1.** RCW 9A.40.090 and 1993 c 509 s 1 are each amended to read
4 as follows:

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

6 (1)(a) Orders, lures, or attempts to lure a minor or
7 developmentally disabled person into ((a)) any area or structure that
8 is obscured from or inaccessible to the public or into a motor vehicle;

9 (b) Does not have the consent of the minor's parent or guardian or
10 the developmentally disabled person's guardian; and

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

12 (2) It is a defense to luring, which the defendant must prove by a
13 preponderance of the evidence, that the defendant's actions were
14 reasonable under the circumstances and the defendant did not have any
15 intent to harm the health, safety, or welfare of the minor or
16 developmentally disabled person.

17 (3) For purposes of this section:

18 (a) "Minor" means a person under the age of sixteen;

1 (b) "Developmentally disabled person" means a person with a
2 developmental disability as defined in RCW 71A.10.020.
3 (4) Luring is a class C felony.

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