

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2569 Session of
2006

INTRODUCED BY GOODMAN, BARRAR, BELARDI, BELFANTI, BEYER,
BIANCUCCI, BOYD, CALTAGIRONE, CAUSER, CAWLEY, CORNELL,
CRAHALLA, DeWEESE, DIVEN, FABRIZIO, FAIRCHILD, GEIST,
GILLESPIE, GRUCELA, HARPER, HARRIS, HESS, HICKERNELL,
KAUFFMAN, M. KELLER, KOTIK, LEACH, MAITLAND, MANN, MARKOSEK,
MICOZZIE, PAYNE, PETRARCA, PHILLIPS, PISTELLA, READSHAW,
REED, RUBLEY, SATHER, SAYLOR, SCHRODER, SIPTROTH, STABACK,
STERN, TANGRETTI, J. TAYLOR, THOMAS, TIGUE, WALKO, WATSON AND
YOUNGBLOOD, APRIL 4, 2006

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 4, 2006

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 luring a child into a motor vehicle.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 2910 of Title 18 of the Pennsylvania
7 Consolidated Statutes, amended November 10, 2005 (P.L.330,
8 No.64), is amended to read:

9 § 2910. Luring a child into a motor vehicle or structure.

10 (a) Offense.--Unless the circumstances reasonably indicate
11 that the child is in need of assistance, a person who lures or
12 attempts to lure a child into a motor vehicle or structure
13 without the consent, express or implied, of the child's parent
14 or guardian commits a [misdemeanor of the first] felony of the
15 third degree.

1 (b) Affirmative defense.--It shall be an affirmative defense
2 to a prosecution under this section that the person lured or
3 attempted to lure the child into the structure for a lawful
4 purpose.

5 (c) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection:

8 "Motor vehicle." Every self-propelled device in, upon or by
9 which any person or property is or may be transported or drawn
10 on a public highway.

11 "Structure." A house, apartment building, shop, warehouse,
12 barn, building, vessel, railroad car, cargo container, house
13 car, trailer, trailer coach, camper, mine, floating home or
14 other enclosed structure capable of holding a child, which is
15 not open to the general public.

16 Section 2. This act shall take effect in 60 days.