

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 822 Session of
2007

INTRODUCED BY GOODMAN, ARGALL, BARRAR, BELFANTI, BENNINGHOFF,
BIANCUCCI, BOYD, CAPPELLI, CARROLL, CAUSER, CLYMER, CONKLIN,
COX, DALLY, DeLUCA, DePASQUALE, EVERETT, FABRIZIO, FAIRCHILD,
FRANKEL, GEIST, GILLESPIE, GRELL, GRUCELA, HENNESSEY,
HERSHEY, HESS, HICKERNELL, JAMES, M. KELLER, W. KELLER,
KENNEY, KIRKLAND, KOTIK, KULA, LEACH, MACKERETH, MAHONEY,
MANN, MARSICO, MILLARD, MYERS, O'NEILL, PALLONE, PAYNE,
PETRARCA, PETRONE, PHILLIPS, PICKETT, RAPP, REED, REICHLEY,
ROAE, RUBLEY, SABATINA, SAYLOR, SCAVELLO, SCHRODER, K. SMITH,
SONNEY, STABACK, STERN, STURLA, SURRA, J. TAYLOR, TRUE,
VEREB, WALKO, WATSON, J. WHITE, WILLIAMS, WOJNAROSKI,
YOUNGBLOOD AND MURT, MARCH 19, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 19, 2007

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 is amended to read:

8 § 2910. Luring a child into a motor vehicle or structure.

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

1 third degree.

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

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

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

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

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