

CRIMES CODE (18 PA.C.S.) - LURING A CHILD INTO MOTOR VEHICLE OR STRUCTURE

Act of Nov. 10, 2005, P.L. 330, No. 64

Cl. 18

Session of 2005

No. 2005-64

HB 746

AN ACT

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

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

Section 1. Section 2910 of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

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

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

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

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

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

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

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

APPROVED--The 10th day of November, A. D. 2005.

EDWARD G. RENDELL