

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 990 Session of 2009

INTRODUCED BY GOODMAN, BARRAR, BELFANTI, BOBACK, BOYD, BRENNAN, BRIGGS, CARROLL, CLYMER, CONKLIN, DeLUCA, DONATUCCI, FABRIZIO, GEIST, GEORGE, GERGELY, GIBBONS, GILLESPIE, HARKINS, HENNESSEY, HESS, KULA, MANN, MARSICO, MATZIE, MELIO, MOUL, MURPHY, MURT, PETRARCA, PHILLIPS, PRESTON, PYLE, RAPP, READSHAW, SIPTROTH, K. SMITH, STABACK, STURLA, TRUE, WATSON AND YOUNGBLOOD, MAY 8, 2009

REFERRED TO COMMITTEE ON JUDICIARY, MAY 8, 2009

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 or structure.

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
14 third degree.

15 (b) Affirmative defense.--It shall be an affirmative defense
16 to a prosecution under this section that the person lured or

1 attempted to lure the child into the structure for a lawful
2 purpose.

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

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

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

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