

No. 2005-64

AN ACT

HB 746

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