

COMMITTEE BILL ANALYSIS

Bill: House Bill 1594

Printer's No.: 2185

Sponsor: Rep. Regan

Prepared by: Gregg Warner

Synopsis: This bill amends section 2910 of the Crimes Code, Title 18 of the Pennsylvania Consolidated Statutes, relating to luring a child into a motor vehicle or structure, by increasing the grading of the offense when the victim is less than 13 years of age.

Summary: Currently a person who lures or attempts to lure a child into a motor vehicle or structure without the consent of the child's parent or guardian commits a misdemeanor of the first degree. This bill increases the grading of the offense to a felony of the second degree if the offense involves a child less than 13 years of age.

It is not a defense if the defendant did not know the age of the child or reasonably believed the child to be 13 years of age or older.

The bill defines "child" as a person under 18 years of age.

Effective date

This act takes effect in 60 days.

Background: The House of Representatives passed House Bill 1594 on October 2, 2013 by a vote of 194 to 0.

According to the sponsor, "Barely a week goes by without a report of someone attempting to lure a child into a vehicle or elsewhere. In all too many cases, sexual predators take advantage of a young child's innocence and willingness to be helpful and succeed in enticing them into a car or a vacant building, often with tragic results. Incredibly, luring a child into a motor vehicle or structure is only a misdemeanor of the first degree, regardless of the intention of the actor or the age of the child. A person who entices a 17 year old into a vehicle to smoke a joint commits the same offense as a person who asks a 9 year old to get into a car to help find a lost puppy."

A misdemeanor of the first degree is punishable by imprisonment not exceeding five years or a fine not exceeding \$10,000, or both. A felony of the second degree is punishable by imprisonment not exceeding ten years or a fine not exceeding \$25,000, or both. 18 Pa.C.S. Ch. 11