

IN THE SENATE

SENATE BILL NO. 1324

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE ENTICING OF CHILDREN; AMENDING SECTION 18-1509, IDAHO CODE,
TO REVISE A PENALTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFEC-
TIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 18-1509, Idaho Code, be, and the same is hereby
amended to read as follows:

18-1509. ENTICING OF CHILDREN. (1) A person shall be guilty of a
~~misdemeanor~~ felony if that person attempts to persuade, or persuades,
whether by words or actions or both, a minor child under the age of sixteen
(16) years to either:

- (a) Leave the child's home or school; or
- (b) Enter a vehicle or building; or
- (c) Enter a structure or enclosed area, or alley, with the intent that
the child shall be concealed from public view;

while the person is acting without the authority of (i) the custodial parent
of the child, (ii) the state of Idaho or a political subdivision thereof or
(iii) one having legal custody of the minor child. Nothing contained in this
section shall be construed to prevent the lawful detention of a minor child
or the rendering of aid or assistance to a minor child.

(2) Every person who is convicted of a violation of the provisions of
this section shall be ~~punished by imprisonment in the county or municipal
jail for not more than six (6) months or by a fine of not more than one thou-
sand dollars (\$1,000) or by both such fine and imprisonment. A person con-
victed a second or subsequent time of violating the provisions of this sec-
tion shall be~~ guilty of a felony and shall be punished by imprisonment in the
state penitentiary for a period of time of not more than five (5) years.

SECTION 2. An emergency existing therefor, which emergency is hereby
declared to exist, this act shall be in full force and effect on and after
July 1, 2024.