

---

**By: Delegates Ports, Redmer, and Klausmeier**  
Introduced and read first time: February 22, 1996  
Assigned to: Judiciary

---

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Enticement of Minors**

3 FOR the purpose of prohibiting a person from using certain means to induce a minor  
4 under a certain age to accompany the person; providing certain exceptions;  
5 providing certain affirmative defenses; providing certain penalties;and generally  
6 relating to enticing or inducing minors into certain activities.

7 BY adding to

8 Article 27 - Crimes and Punishments  
9 Section 2A  
10 Annotated Code of Maryland  
11 (1992 Replacement Volume and 1995 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 27 - Crimes and Punishments**

15 2A.

16 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PERSON  
17 MAY NOT BY ANY MEANS ORDER, SOLICIT, COAX, ENTICE, OR LURE ANY MINOR  
18 UNDER THE AGE OF 14 YEARS OR ATTEMPT TO ORDER, SOLICIT, COAX, ENTICE, OR  
19 LURE ANY MINOR UNDER THE AGE OF 14 YEARS TO ACCOMPANY THE PERSON,  
20 REGARDLESS OF WHETHER OR NOT THE PERSON KNOWS THE AGE OF THE MINOR.

21 (B) THIS SECTION DOES NOT APPLY TO:

22 (1) ANY PERSON WHO HAS THE EXPRESS PERMISSION OF THE PARENT,  
23 GUARDIAN, OR OTHER LEGAL CUSTODIAN OF THE MINOR IN UNDERTAKING THE  
24 ACTIVITY; OR

25 (2) A LAW ENFORCEMENT OFFICER, MEDIC, FIREFIGHTER, OR OTHER  
26 PERSON WHO REGULARLY PROVIDES EMERGENCY SERVICES WHO AT THE TIME OF  
27 THE ACTIVITY IS ACTING WITHIN THE SCOPE OF LAWFUL DUTIES FOR THAT  
28 CAPACITY.

2

1 (C) THE FOLLOWING SHALL BE AFFIRMATIVE DEFENSES TO A CHARGE  
2 UNDER THIS SECTION THAT THE PERSON SHALL PROVE BY A PREPONDERANCE OF  
3 THE EVIDENCE:

4 (1) THE ACTIVITY WAS UNDERTAKEN IN RESPONSE TO A BONA FIDE  
5 EMERGENCY SITUATION; OR

6 (2) THE ACTIVITY WAS UNDERTAKEN IN THE REASONABLE BELIEF  
7 THAT IT WAS NECESSARY TO PRESERVE THE HEALTH, SAFETY, OR WELFARE OF THE  
8 MINOR.

9 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
10 AND ON CONVICTION SHALL BE FINED NOT MORE THAN \$500 OR IMPRISONED FOR  
11 NOT MORE THAN 6 MONTHS OR BOTH.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 1996.