

## CHAPTER 46

### SEXUAL MISCONDUCT WITH OFFENDERS AND JUVENILES

H.F. 258

**AN ACT** relating to sexual misconduct with offenders and juveniles, and providing penalties.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 709.16, Code 2015, is amended to read as follows:

**709.16 Sexual misconduct with offenders and juveniles.**

1. ~~An Any peace officer, or an officer,~~ employee, contractor, vendor, volunteer, or agent of the department of corrections, or an officer, employee, or agent of a judicial district department of correctional services, who engages in a sex act with an individual committed to the custody of the department of corrections or a judicial district department of correctional services commits an aggravated misdemeanor.

2. a. ~~An Any peace officer, or an officer,~~ employee, contractor, vendor, volunteer, or agent of a juvenile placement facility who engages in a sex act with a juvenile placed at such facility commits an aggravated misdemeanor.

b. For purposes of [this subsection](#), a “juvenile placement facility” means any of the following:

- (1) A child foster care facility licensed under [section 237.4](#).
- (2) Institutions controlled by the department of human services listed in [section 218.1](#).
- (3) Juvenile detention and juvenile shelter care homes approved under [section 232.142](#).
- (4) Psychiatric medical institutions for children licensed under [chapter 135H](#).
- (5) Facilities for the treatment of persons with substance-related disorders as defined in [section 125.2](#).

3. ~~An Any peace officer, or an officer,~~ employee, contractor, vendor, volunteer, or agent of a county who engages in a sex act with a prisoner incarcerated in a county jail commits an aggravated misdemeanor.

Approved April 17, 2015