

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