

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
CORRECTIONS BILL)

A BILL FOR

1 An Act relating to sexual misconduct committed by agents and
2 employees of the department of corrections and judicial
3 district departments of correctional services, and providing
4 a penalty.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 709.16, subsection 1, Code 2011, is
2 amended to read as follows:

3 1. An officer, employee, contractor, vendor, volunteer,
4 or agent of the department of corrections, or an officer,
5 employee, or agent of a judicial district department of
6 correctional services, who engages in a sex act with an
7 individual committed to the custody of the department of
8 corrections or a judicial district department of correctional
9 services commits ~~an aggravated misdemeanor~~ a class "D" felony.

10 EXPLANATION

11 This bill relates to sexual misconduct committed by
12 employees and agents of the department of corrections and
13 judicial district departments of correctional services.

14 The bill increases the criminal penalty for an officer,
15 employee, contractor, vendor, volunteer, or agent of the
16 department of corrections who engages in a sex act with
17 an inmate committed to the custody of the department of
18 corrections from an aggravated misdemeanor to a class "D"
19 felony.

20 The bill also increases the criminal penalty for such an
21 act by an officer, employee, or agent of a judicial district
22 department of correctional services with a person in the
23 custody of the judicial district from an aggravated misdemeanor
24 to a class "D" felony.

25 The bill does not increase the criminal penalties for sexual
26 misconduct committed by the personnel or agents of a juvenile
27 placement agency or county jail.

28 The bill also does not modify the requirement that a person
29 convicted of sexual misconduct shall register as a sex offender
30 and is subject to a special sentence pursuant to Code section
31 903B.2.

32 An aggravated misdemeanor is punishable by confinement for
33 no more than two years and a fine of at least \$625 but not more
34 than \$6,250. A class "D" felony is punishable by confinement
35 for no more than five years and a fine of at least \$750 but not

S.F. _____ H.F. _____

1 more than \$7,500.

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