

# House Amendment 1349

PAG LIN

1 1 Amend Senate File 383, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by striking lines 1 through 9, and  
1 4 inserting the following:  
1 5 <Section 1. Section 709.16, Code 2005, is amended  
1 6 to read as follows:  
1 7 709.16 SEXUAL MISCONDUCT WITH OFFENDERS AND  
1 8 JUVENILES.  
1 9 1. An officer, employee, contractor, vendor,  
1 10 volunteer, or agent of the department of corrections,  
1 11 or an officer, employee, or agent of a judicial  
1 12 district department of correctional services, who  
1 13 engages in a sex act with an individual committed to  
1 14 the custody of the department of corrections or a  
1 15 judicial district department of correctional services  
1 16 commits ~~an aggravated misdemeanor a class "D" felony.~~  
1 17 2. An officer, employee, contractor, vendor,  
1 18 volunteer, or agent of a juvenile placement facility  
1 19 who engages in a sex act with a juvenile placed at  
1 20 such facility commits ~~an aggravated misdemeanor a~~  
1 21 ~~class "D" felony.~~  
1 22 For purposes of this subsection, a "juvenile  
1 23 placement facility" means any of the following:  
1 24 a. A child foster care facility licensed under  
1 25 section 237.4.  
1 26 b. Institutions controlled by the department of  
1 27 human services listed in section 218.1.  
1 28 c. Juvenile detention and juvenile shelter care  
1 29 homes approved under section 232.142.  
1 30 d. Psychiatric medical institutions for children  
1 31 licensed under chapter 135H.  
1 32 e. Substance abuse facilities as defined in  
1 33 section 125.2.  
1 34 3. An officer, employee, contractor, vendor,  
1 35 volunteer, or agent of a county who engages in a sex  
1 36 act with a prisoner incarcerated in a county jail  
1 37 commits ~~an aggravated misdemeanor a class "D" felony.~~>  
1 38 #2. Title page, by striking lines 2 through 4 and  
1 39 inserting the following: <offenders and juveniles.>  
1 40  
1 41  
1 42  
1 43 COMMITTEE ON PUBLIC SAFETY  
1 44 BAUDLER of Adair, CHAIRPERSON  
1 45 SF 383.701 81  
1 46 jm/gg/2817  
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1 49  
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