



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

May 11, 2017

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 238, an Act relating to the criminal offense of sexual exploitation by a school employee, and making penalties applicable.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink that reads "Terry E. Branstad".

Terry E. Branstad
Governor

cc: Secretary of the Senate
Clerk of the House



Senate File 238

AN ACT

RELATING TO THE CRIMINAL OFFENSE OF SEXUAL EXPLOITATION BY A
SCHOOL EMPLOYEE, AND MAKING PENALTIES APPLICABLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 709.15, subsection 1, paragraph f, Code 2017, is amended by striking the paragraph and inserting in lieu thereof the following:

f. (1) "School employee" means any of the following, except as provided in subparagraph (2):

(a) A person who holds a license, certificate, or statement of professional recognition issued under chapter 272.

(b) A person who holds an authorization issued under chapter 272.

(c) A person employed by a school district full-time, part-time, or as a substitute.


(d) A person who performs services as a volunteer for a school district and who has direct supervisory authority over the student with whom the person engages in conduct prohibited under subsection 3, paragraph "a".

(e) A person who provides services under a contract for such services to a school district and who has direct supervisory authority over the student with whom the person engages in conduct prohibited under subsection 3, paragraph "a".


(2) "School employee" does not include a student enrolled in the school district.

Sec. 2. Section 709.15, subsection 3, Code 2017, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* The provisions of this subsection do not apply to a person who is employed by a school district attendance center if the student with whom the person engages in conduct prohibited under subsection 3, paragraph "a", is not enrolled in the same school district attendance center that employs the person, the person does not have direct supervisory authority over the student, and the person does not meet the requirements of subsection 1, paragraph "f", subparagraph (1), subparagraph division (a).




JACK WHITVER
President of the Senate



LINDA UPMAYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 238, Eighty-seventh General Assembly.



W. CHARLES SMITHSON
Secretary of the Senate

Approved May 11, 2017



TERRY E. BRANSTAD
Governor