

FEB 12 1998

JUDICIARY

HOUSE FILE

2248

BY BRUNKHORST and GIPP

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the prohibition of sex acts between juveniles  
 2 and employees and agents at juvenile placement facilities and  
 3 providing a penalty.

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

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HF 2248

1 Section 1. Section 709.16, Code 1997, is amended to read  
2 as follows:

3 709.16 SEXUAL MISCONDUCT WITH OFFENDERS AND JUVENILES.

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

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

15 EXPLANATION

16 Current law prohibits correctional employees, contractors,  
17 and other agents from engaging in a sex act with offenders in  
18 custody. This bill expands the criminal offense of sexual  
19 misconduct to prohibit such sex acts between juvenile  
20 placement facility employees, contractors, and other agents  
21 and juveniles placed at these facilities.

22 A person who violates the bill commits an aggravated  
23 misdemeanor.

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