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JUDICIARY

SENATE FILE 2171

BY BORLAUG, MADDOX, REHBERG,
REDFERN, LUNDBY, and KING

(COMPANION TO LSB 3487HH
BY BRUNKHORST)

Passed Senate, Date _____ Passed House, 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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S.F. 2171

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. In addition, the
22 bill prohibits such sex acts between a foster parent or
23 employees, contractors, and other agents of a foster care
24 agency with a child placed in the foster parent's or agency's
25 care.

26 A person who violates the bill commits an aggravated
27 misdemeanor.

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