

House Study Bill 189

Bill Text

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1 1 Section 1. NEW SECTION. 709.15A SEXUAL EXPLOITATION BY
1 2 AN EDUCATIONAL PRACTITIONER.

1 3 1. For purposes of this section, unless the context
1 4 otherwise requires:

1 5 a. "Sexually exploits" means engaging in conduct that is
1 6 for the purpose of arousing or satisfying the sexual desires
1 7 of an educational practitioner or student and includes but is
1 8 not limited to kissing; touching of the clothed or unclothed
1 9 inner thigh, breast, groin, buttock, anus, pubes, or genitals;
1 10 or committing a sex act as defined in section 702.17.

1 11 b. "Student" means a person who is sixteen or seventeen
1 12 years of age and who attends or who formerly attended a public
1 13 or nonpublic school, or a person who is more than seventeen
1 14 years of age and is attending a secondary education program.

1 15 2. A practitioner who has been issued a license,
1 16 certificate, or authorization by the board of education
1 17 examiners under chapter 272 who sexually exploits a student
1 18 commits an aggravated misdemeanor.

1 19 EXPLANATION

1 20 This bill establishes the crime of sexual exploitation of a
1 21 student by an educational practitioner who is licensed or who
1 22 has been issued a certificate or authorization under the state
1 23 licensing provisions in Code chapter 272.

1 24 The bill's provisions would be codified as new Code section
1 25 709.15A in the sexual abuse Code chapter. The crime of sexual
1 26 exploitation of a student by an educational practitioner is
1 27 punishable as an aggravated misdemeanor (maximum penalty of a
1 28 prison sentence of not more than two years and fine of \$500 to
1 29 \$5,000).

1 30 A student is defined as a person who is 16 or 17 years of
1 31 age and is attending or formerly attended a public or
1 32 nonpublic school, or a person who is more than 17 years of age
1 33 and is attending a secondary education program.

1 34 Sexual exploitation is defined as engaging in conduct that
1 35 is for the purpose of arousing or satisfying the sexual
2 1 desires of an educational practitioner or student and includes
2 2 but is not limited to kissing; touching of the clothed or
2 3 unclothed inner thigh, breast, groin, buttock, anus, pubes, or
2 4 genitals; or committing a sex act as defined in Code section
2 5 702.17.

2 6 LSB 2398HC 78

2 7 jp/sc/14