

Senate Study Bill 1029

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT
OF CORRECTIONS BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the penalty for sexual misconduct with
2 offenders committed by an officer, employee, or agent of the
3 department of corrections or a judicial district department of
4 correctional services, and providing a penalty.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1169DP 81
7 jm/sh/8

PAG LIN

1 1 Section 1. Section 709.16, subsection 1, Code 2005, is
1 2 amended to read as follows:
1 3 1. An officer, employee, contractor, vendor, volunteer, or
1 4 agent of the department of corrections, or an officer,
1 5 employee, or agent of a judicial district department of
1 6 correctional services, who engages in a sex act with an
1 7 individual committed to the custody of the department of
1 8 corrections or a judicial district department of correctional
1 9 services commits ~~an aggravated misdemeanor a class "D" felony.~~

EXPLANATION

1 10
1 11 This bill relates to sexual misconduct committed with a
1 12 person in custody of the department of corrections or placed
1 13 with the judicial district department of correctional
1 14 services. The bill changes the criminal penalty for sexual
1 15 misconduct committed by an employee, contractor, vendor,
1 16 volunteer, or agent of the department of corrections or by an
1 17 officer, employee, or agent of a judicial district department
1 18 of correctional services from an aggravated misdemeanor to a
1 19 class "D" felony.
1 20 An aggravated misdemeanor is punishable by confinement for
1 21 no more than two years and a fine of at least \$500 but not
1 22 more than \$5,000. A class "D" felony is punishable by
1 23 confinement for no more than five years and a fine of at least
1 24 \$750 but not more than \$7,500.
1 25 LSB 1169DP 81
1 26 jm/sh/8