

# Senate Study Bill 1052

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 department of corrections by increasing  
2 penalties for engaging in sex acts with offenders under the  
3 supervision of the department of corrections or a judicial  
4 district department of correctional services, and eliminating  
5 certain reporting requirements.

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

7 TLSB 1265DP 82

8 jm/sh/8

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1 1 Section 1. Section 709.16, subsection 1, Code 2007, 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, contractor, vendor, volunteer, or agent of a  
1 6 judicial district department of correctional services, who  
1 7 engages in a sex act with an individual committed to the  
1 8 custody of the department of corrections or a judicial  
1 9 district department of correctional services commits ~~an~~  
~~1 10 aggravated misdemeanor~~ a class "D" felony.

1 11 Sec. 2. Section 904.501, Code 2007, is repealed.

1 12 EXPLANATION  
1 13 This bill relates to department of corrections practices  
1 14 and procedures by increasing penalties for engaging in sex  
1 15 acts with inmates at the department of corrections or judicial  
1 16 district department of correctional services, and eliminating  
1 17 certain reports by the superintendent of each institution.

1 18 The bill provides that a contractor, vendor, or volunteer  
1 19 of a judicial district department of correctional services  
1 20 facility who engages in a sex act with a person under  
1 21 supervision of the district department or of the department of  
1 22 corrections commits a class "D" felony. Current law prohibits  
1 23 a sex act between an officer, employee, or agent of the  
1 24 judicial district department of correctional services or of  
1 25 the department of corrections and a person under supervision  
1 26 of the district department or department of corrections.

1 27 The bill also repeals Code section 904.501 requiring the  
1 28 superintendent of each institution to issue a report to the  
1 29 director of the department of corrections regarding inmate  
1 30 entrance and discharge information.

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