

Senate Study Bill 3162

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

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

A BILL FOR

1 An Act relating to sexual misconduct with a juvenile, and
2 providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5346DP 82
5 jm/rj/8

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1 1 Section 1. Section 709.16, subsection 2, Code 2007, is
1 2 amended to read as follows:
1 3 2. An officer, employee, contractor, vendor, volunteer, or
1 4 agent of a juvenile placement facility who engages in a sex
1 5 act with a juvenile placed at such facility commits an
1 6 ~~aggravated misdemeanor a class "C" felony.~~
1 7 For purposes of this subsection, a "juvenile placement
1 8 facility" means any of the following:
1 9 a. A child foster care facility licensed under section
1 10 237.4.
1 11 b. Institutions controlled by the department of human
1 12 services listed in section 218.1.
1 13 c. Juvenile detention and juvenile shelter care homes
1 14 approved under section 232.142.
1 15 d. Psychiatric medical institutions for children licensed
1 16 under chapter 135H.
1 17 e. Substance abuse facilities as defined in section 125.2.
1 18 EXPLANATION
1 19 This bill relates to sexual misconduct with a juvenile.
1 20 The bill increases the penalty from an aggravated
1 21 misdemeanor to a class "C" felony, for an officer, employee,
1 22 contractor, vendor, volunteer, or agent of a juvenile
1 23 placement facility who engages in a sex act with a juvenile
1 24 placed at such a facility. A "juvenile placement facility" is
1 25 defined in Code section 709.16(2).
1 26 The term "sex act" is defined in Code section 702.17.
1 27 A class "C" felony is punishable by confinement for no more
1 28 than 10 years and a fine of at least \$1,000 but not more than
1 29 \$10,000. An aggravated misdemeanor is punishable by
1 30 confinement for no more than two years and a fine of at least
1 31 \$625 but not more than \$6,250.
1 32 LSB 5346DP 82
1 33 jm/rj/8.1