
By: **Senators Hoffman, Stone, and Kelley**
Introduced and read first time: February 4, 2000
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Sexual Offenses - Juvenile Justice Facilities and Licensed Institutions**

3 FOR the purpose of making it a misdemeanor for an employee of the Department of
4 Juvenile Justice or of a licensee of the Department to engage in certain sexual
5 activity with an individual who receives services at certain institutions licensed
6 or operated by the Department; and generally relating to sexual activity
7 between employees of the Department and individuals provided services at
8 certain institutions and facilities for juveniles.

9 BY repealing and reenacting, with amendments,
10 Article 27 - Crimes and Punishments
11 Section 464G
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1999 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 27 - Crimes and Punishments**

17 464G.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) "Correctional employee" means:

20 (i) A correctional officer, as defined in § 8-201 of the Correctional
21 Services Article; or

22 (ii) A head or deputy head of a correctional facility, including a
23 sheriff, warden, superintendent, or any person having an equivalent title who is
24 appointed or employed to supervise a correctional facility.

25 (3) "Inmate" means a person who is incarcerated in a State or local
26 correctional facility or a community adult rehabilitation center.

1 (b) (1) A correctional employee may not engage in vaginal intercourse or a
2 sexual act with an inmate.

3 (2) AN EMPLOYEE OF THE DEPARTMENT OF JUVENILE JUSTICE OR OF A
4 LICENSEE OF THE DEPARTMENT OF JUVENILE JUSTICE MAY NOT ENGAGE IN
5 VAGINAL INTERCOURSE OR A SEXUAL ACT WITH AN INDIVIDUAL WHO RECEIVES
6 SERVICES AT A CHILD CARE INSTITUTION LICENSED BY THE DEPARTMENT OF
7 JUVENILE JUSTICE, A DETENTION CENTER FOR JUVENILES, OR A FACILITY FOR
8 JUVENILES LISTED IN ARTICLE 83C, § 2-117(A)(2) OF THE CODE.

9 (c) A person who violates this section is guilty of a misdemeanor and on
10 conviction is subject to a fine of not more than \$3,000 or imprisonment for not more
11 than 3 years or both.

12 (d) A sentence imposed for violation of this section may be separate from and
13 consecutive to or concurrent with a sentence for any other offense under this
14 subheading.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2000.