

SENATE BILL 415

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2000 Regular Session  
0lr0847

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By: **Senators Hoffman, Stone, and Kelley Kelley, and Forehand**

Introduced and read first time: February 4, 2000

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2000

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CHAPTER\_\_\_\_\_

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

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

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

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

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

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

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

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