HLS 22RS-1925

2022 Regular Session

HOUSE BILL NO. 904

BY REPRESENTATIVES PHELPS AND LANDRY

CORRECTIONS: Provides relative to malfeasance in office committed by volunteers and contract workers of DPS&C

AN ACT

To amend and reenact R.S. 14:134.1(A), relative to malfeasance in office; to provide with respect to malfeasance in office involving prohibited sexual conduct; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:134.1(A) is hereby amended and reenacted to read as follows:

§134.1. Malfeasance in office; sexual conduct prohibited with persons in the custody and supervision of the Department of Public Safety and Corrections

A. It shall be unlawful and constitute malfeasance in office for any of the following persons to engage in sexual intercourse or any other sexual conduct with a person who is under their supervision and who is confined in a prison, jail, work release facility, or correctional institution, or who is under the supervision of the division of probation and parole, or who is detained or arrested:

* * *

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 904 Engrossed 2022 Regular Session Phelps

Abstract: Expands the definition of the crime of malfeasance in office to include sexual conduct with a person who is detained or arrested.

Present law provides that it is unlawful and constitutes malfeasance in office for any person who is a law enforcement officer, an employee of DPS&C, an employee of any prison, jail, or correctional institution, or any person employed by entities operating work release facilities of DPS&C, to engage in sexual conduct with persons under their supervision.

Proposed law retains present law and also prohibits sexual intercourse or any other sexual conduct with a person who is detained or arrested.

(Amends R.S. 14:134.1(A))

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