

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

Article 27 - Crimes and Punishments

464G.

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

(2) "Correctional employee" means:

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

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

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

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

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

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

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

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

Approved May 11, 2000.