

1. CORRECTIONAL OFFICER, AS DEFINED IN § 8-201 OF THE CORRECTIONAL SERVICES ARTICLE; OR

2. MANAGING OFFICIAL OR DEPUTY MANAGING OFFICIAL OF A CORRECTIONAL FACILITY.

(II) "CORRECTIONAL EMPLOYEE" INCLUDES A SHERIFF, WARDEN, OR OTHER OFFICIAL WHO IS APPOINTED OR EMPLOYED TO SUPERVISE A CORRECTIONAL FACILITY.

(3) (I) "INMATE" HAS THE MEANING STATED IN § 1-101 OF THIS ARTICLE.

(II) "INMATE" INCLUDES AN INDIVIDUAL CONFINED IN A COMMUNITY ADULT REHABILITATION CENTER.

(B) PROHIBITED — CORRECTIONAL EMPLOYEE WITH INMATE.

A CORRECTIONAL EMPLOYEE MAY NOT ENGAGE IN VAGINAL INTERCOURSE OR A SEXUAL ACT WITH AN INMATE.

(C) SAME — JUVENILE JUSTICE EMPLOYEE WITH CONFINED CHILD.

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

(D) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$3,000 OR BOTH.

(E) SENTENCING.

A SENTENCE IMPOSED FOR VIOLATION OF THIS SECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANOTHER CRIME UNDER §§ 3-303 THROUGH 3-312 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 464G.

In subsection (a)(2)(i)2 of this section, the term "managing official" is substituted for the former word "head" of a correctional facility for consistency with the Correctional Services Article.

In subsection (a)(2)(ii) of this section, the reference to any "other official" is substituted for the former reference to any "person having an equivalent title" for brevity.

Also in subsection (a)(2)(ii) of this section, the former word "superintendent" is deleted as obsolete.