

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

1 AN ACT

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

5 Be it enacted by the Legislature of Louisiana:

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

7 §134.1. Malfeasance in office; sexual conduct prohibited with persons in the
8 custody and supervision of the Department of Public Safety and Corrections

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

14 * * *

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))