

**ASSEMBLY AMENDMENT 1,
TO 1999 ASSEMBLY BILL 355**

June 8, 1999 – Offered by COMMITTEE ON CORRECTIONS AND THE COURTS.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: after “assault of” insert “and sexual activity involving”.

3 **2.** Page 2, line 19: after that line insert:

4 “**SECTION 4m.** 946.435 of the statutes is created to read:

5 **946.435 Prisoner sexual activity. (1)** In this section “prisoner” means a
6 person confined in a jail or correctional facility, as defined in s. 961.01 (12m), a
7 secured correctional facility, as defined in s. 938.02 (15m), or a secure detention
8 facility, as defined in s. 938.02 (16).

9 **(2)** A prisoner who has sexual contact or sexual intercourse with another
10 person while in the facility or institution in which the prisoner is confined is guilty
11 of a Class D felony.

12 **(3)** This section does not apply to an individual if all of the following apply:

