

Enrolled
House Bill 2128

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Attorney General Hardy Myers for Department of Justice)

CHAPTER

AN ACT

Relating to Sexual Assault Victims' Emergency Medical Response Fund; amending ORS 147.225 and 147.231 and section 8, chapter 789, Oregon Laws 2003; repealing sections 9 and 11, chapter 789, Oregon Laws 2003; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 9 and 11, chapter 789, Oregon Laws 2003, are repealed.

SECTION 2. ORS 147.225, as amended by section 6, chapter 789, Oregon Laws 2003, is amended to read:

147.225. There is established the Criminal Injuries Compensation Account. All moneys in the account are continuously appropriated for and may be used by the Department of Justice for the purposes authorized in ORS 135.905 and 147.005 to 147.367 **and section 2, chapter 789, Oregon Laws 2003.**

SECTION 3. ORS 147.231, as amended by section 7, chapter 789, Oregon Laws 2003, is amended to read:

147.231. (1) Subject to the availability of sufficient funds in the Criminal Injuries Compensation Account, the Attorney General or the Attorney General's designee may make grants from the Criminal Injuries Compensation Account to eligible public or private nonprofit agencies that provide services to victims of violent crimes, property crimes and crimes involving fraud and deception. The Attorney General may not make grants unless there are sufficient funds in the Criminal Injuries Compensation Account to satisfy both the projected compensation claims of victims of violent crimes and the anticipated costs of complying with ORS 147.227 **and of providing the funds deemed necessary by the Attorney General to comply with section 2, chapter 789, Oregon Laws 2003.** The grants authorized by this section are in addition to federal Victims of Crime Act grants that are administered by the Attorney General or the Attorney General's designee.

(2) Funds distributed under this section may be used only for services to victims of violent crimes, property crimes and crimes involving fraud and deception and may not be used to replace funds otherwise available for services to victims of crime.

(3) As used in this section, "services" includes, but is not limited to:

(a) Crisis intervention services;

(b) Providing, in an emergency, transportation to court, short-term child care, temporary housing and security measures;

(c) Assistance in participating in criminal justice proceedings;

(d) Preparation, publication and distribution of materials that inform victims of violent crimes, property crimes and crimes involving fraud and deception of the services that are available;

- (e) Salaries of persons who provide direct services to victims of violent crimes, property crimes and crimes involving fraud and deception to the extent that the persons provide the services; and
- (f) Counseling for victims of property crimes and crimes involving fraud and deception.
- (4) Applicants for grants under subsection (1) of this section shall:
 - (a) Certify that priority will be given to providing assistance to victims of violent crimes including, but not limited to, victims of sexual assault, domestic violence and child abuse; and
 - (b) Provide any information and assurances that the Department of Justice may require.
- (5) The Attorney General or the Attorney General's designee may administer the grants authorized by this section concurrently with the administration of the federal Victims of Crime Act grants.
- (6) The department shall adopt rules pursuant to ORS chapter 183 to carry out the provisions of this section.

SECTION 4. Section 8, chapter 789, Oregon Laws 2003, is amended to read:

Sec. 8. No later than March 1, [2005] **2009**, the Attorney General shall submit to the Legislative Assembly a report on the operation of the Sexual Assault Victims' Emergency Medical Response Fund through January 31, [2005] **2009**. The Attorney General shall include in the report:

- (1) The dollar amount of each claim submitted to the fund;
- (2) The dollar amount paid on each submitted claim and the reason for any partial payment or nonpayment of a claim;
- (3) The dollar amount and source of gifts, grants and donations to the fund; and
- (4) Recommendations, if any, for legislation to improve the operation of the fund.

SECTION 5. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.

Passed by House February 15, 2007

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 Chief Clerk of House

 Speaker of House

Passed by Senate March 26, 2007

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 President of Senate

Received by Governor:

.....M.,....., 2007

Approved:

.....M.,....., 2007

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 Governor

Filed in Office of Secretary of State:

.....M.,....., 2007

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 Secretary of State