

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)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes provisions relating to sexual assault medical assessments permanent.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Sexual Assault Victims' Emergency Medical Response Fund; amending ORS 147.225 and
3 147.231 and section 8, chapter 789, Oregon Laws 2003; repealing sections 9 and 11, chapter 789,
4 Oregon Laws 2003; and declaring an emergency.

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

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 Sections 9 and 11, chapter 789, Oregon Laws 2003, are repealed.**

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

9 147.225. There is established the Criminal Injuries Compensation Account. All moneys in the
10 account are continuously appropriated for and may be used by the Department of Justice for the
11 purposes authorized in ORS 135.905 and 147.005 to 147.367 **and section 2, chapter 789, Oregon**
12 **Laws 2003.**

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

15 147.231. (1) Subject to the availability of sufficient funds in the Criminal Injuries Compensation
16 Account, the Attorney General or the Attorney General's designee may make grants from the
17 Criminal Injuries Compensation Account to eligible public or private nonprofit agencies that provide
18 services to victims of violent crimes, property crimes and crimes involving fraud and deception. The
19 Attorney General may not make grants unless there are sufficient funds in the Criminal Injuries
20 Compensation Account to satisfy both the projected compensation claims of victims of violent crimes
21 and the anticipated costs of complying with ORS 147.227 **and of providing the funds deemed**
22 **necessary by the Attorney General to comply with section 2, chapter 789, Oregon Laws**
23 **2003.** The grants authorized by this section are in addition to federal Victims of Crime Act grants
24 that are administered by the Attorney General or the Attorney General's designee.

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

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

29 (a) Crisis intervention services;

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

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (c) Assistance in participating in criminal justice proceedings;

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

4 (e) Salaries of persons who provide direct services to victims of violent crimes, property crimes
5 and crimes involving fraud and deception to the extent that the persons provide the services; and

6 (f) Counseling for victims of property crimes and crimes involving fraud and deception.

7 (4) Applicants for grants under subsection (1) of this section shall:

8 (a) Certify that priority will be given to providing assistance to victims of violent crimes in-
9 cluding, but not limited to, victims of sexual assault, domestic violence and child abuse; and

10 (b) Provide any information and assurances that the Department of Justice may require.

11 (5) The Attorney General or the Attorney General's designee may administer the grants au-
12 thorized by this section concurrently with the administration of the federal Victims of Crime Act
13 grants.

14 (6) The department shall adopt rules pursuant to ORS chapter 183 to carry out the provisions
15 of this section.

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

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

20 (1) The dollar amount of each claim submitted to the fund;

21 (2) The dollar amount paid on each submitted claim and the reason for any partial payment or
22 nonpayment of a claim;

23 (3) The dollar amount and source of gifts, grants and donations to the fund; and

24 (4) Recommendations, if any, for legislation to improve the operation of the fund.

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

28