An Act

ENROLLED HOUSE
BILL NO. 2236

By: Boatman, Munson, Deck, Swope, and Schreiber of the House

and

Floyd, Montgomery, and Garvin of the Senate

An Act relating to crimes and punishments; amending 21 O.S. 2021, Section 142.20, which relates to sexual assault examination fund; increasing the sexual assault examination payment; increasing the sexual assault medication payment; allowing for appropriation of funds to the Sexual Assault Examination Fund; creating certain position; providing termination date; requiring certain duties; providing for codification; and providing an effective date.

SUBJECT: Crimes and punishments

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 2021, Section 142.20, is amended to read as follows:

Section 142.20 A. A Sexual Assault Examination Fund shall be established for the purpose of providing to a victim of a sexual assault a forensic medical examination by a qualified licensed health care professional and to provide to the victim medications as directed by ~~said~~ the health care professional.

B. As used in this section:

1. "Sexual assault" means:

a. rape, or rape by instrumentation, as defined in Sections 1111, 1111.1 and 1114 of this title, or

b. forcible sodomy, as defined in Section 888 of this title; and

2. "Qualified licensed health care professional" means a physician, registered nurse, or other licensed health care professional qualified by training and experience to perform sexual assault examinations.

C. The Crime Victims Compensation Board is authorized to pay for this examination and the medications directed by the qualified licensed health care professional upon application submitted by the victim of a sexual assault.

D. The Crime Victims Compensation Board shall establish the procedures for disbursement of the Sexual Assault Examination Fund, but in no event shall the Crime Victims Compensation Board pay an amount to exceed:

1. ~~Four Hundred Fifty Dollars ($450.00)~~ Eight Hundred Dollars ($800.00) for a sexual assault examination; and

2. ~~Fifty Dollars ($50.00)~~ One Hundred Dollars ($100.00) for medications which are related to the sexual assault and directed and deemed necessary by ~~said~~ the health care professional.

Such payments shall not exceed the amounts specified by this subsection regardless of the amount of any individual bills comprising the claim. Payments shall be made only upon claims signed by the victim or guardian and health care professional.

E. The District Attorneys Council is hereby authorized to transfer funds, as specified in the appropriations bill annually, from the Crime Victims Compensation Fund to the Sexual Assault Examination Fund for the payment of sexual assault forensic examinations and medications, pursuant to this section.

F. Nothing in this section shall prevent the Legislature from appropriating money to the Sexual Assault Examination Fund for the payment of sexual assault forensic examinations and medications, pursuant to this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 215.41 of Title 19, unless there is created a duplication in numbering, reads as follows:

Subject to availability of funding, there is established until October 1, 2025, within the District Attorneys Council under the direction of the Executive Coordinator of the District Attorneys Council, the position of Sexual Assault Nurse Examiner (SANE) Statewide Coordinator. The Statewide Coordinator shall oversee forensic medical examination training throughout the state, recruit and develop SANE professionals, create and expand local Sexual Assault Nurse Examiner programs and Sexual Assault Response Team programs throughout this state, and coordinate payments from the Sexual Assault Examination Fund.

SECTION 3. This act shall become effective November 1, 2023.

Passed the House of Representatives the 25th day of May, 2023.

Presiding Officer of the House of Representatives

Passed the Senate the 26th day of May, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 26th day of May, 20 23, at 6:53 o'clock p. M.

By: _____

Approved by the Governor of the State of Oklahoma this 7th day of June, 20 23, at 3:10 o'clock p. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 7th day of June, 20 23, at 4:35 o'clock P. M.

By: _____