

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2388

BY: SETTLE of the HOUSE

and

ROBINSON of the SENATE

AS INTRODUCED

AN ACT RELATING TO CRIMES AND PUNISHMENTS; AMENDING

21 O.S. 1991, SECTION 142.20, WHICH RELATES TO THE
SEXUAL ASSAULT EXAMINATION FUND; CLARIFYING AND
LIMITING CERTAIN CHARGES; REQUIRING SUBMISSION OF
CLAIMS AND APPROVAL; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 21 O.S. 1991, 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 medical examination for the procurement of evidence to aid in the investigation and prosecution of a sexual assault offense and to provide to the victim medications as directed by the medical ~~examiner~~ authority. Pursuant to this subsection, medications provided to the victim by the medical ~~examiner~~ authority shall only be provided to said victim on a one-time initial basis for the immediate trauma and medical examination of said victim.

B. The words "sexual assault" as used in this section mean:

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

2. Forcible sodomy, as defined in Section 888 of this title.

C. The Crime Victims Compensation Board is authorized to pay for this examination and the medications directed by the medical ~~examiner~~ authority upon application submitted by the victim of a sexual assault and approved by the district attorney who has jurisdiction over the prosecution of the sexual assault offense.

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. One Hundred Fifty Dollars (\$150.00) for ~~the claim submitted by the victim for~~ a sexual assault examination ;

2. Fifty Dollars (\$50.00) for medications which are related to the sexual assault and directed and deemed necessary by the medical authority.

Such payments shall not exceed the amounts specified by this subsection regardless of the amount of any individual bills comprising the claim. ~~Only one claim may be submitted for each incident~~ Payments shall be made only upon claims submitted for such payment by the victim and approved by the District Attorney.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-7104

KSM