

ENGROSSED

House Bill No. 1385

As Amended

ENGROSSED HOUSE BILL NO. 1385 - By: INGMIRE, McDANIEL (Jeannie),
HILLIARD, NATIONS, SHERRER, COOKSEY, PETERSON (Pam) and TIBBS of the
House and LAMB of the Senate.

**[crimes and punishments - Oklahoma Crime Victims
Compensation Act - defining terms - notice of rights for
certain victims - effective date]**

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 142.3, is
amended to read as follows:

Section 142.3 As used in the Oklahoma Crime Victims
Compensation Act, Section 142.1 et seq. of this title:

- 1. "Allowable expense" means:
 - a. charges incurred for needed products, services and accommodations, including, but not limited to, medical care, wage loss, rehabilitation, rehabilitative occupational training and other remedial treatment and care,
 - b. any reasonable expenses related to the funeral, cremation or burial,

- 1 c. reasonable costs for counseling family members of a
2 homicide victim, ~~and~~
3 d. reasonable costs associated with homicide crime scene
4 cleanup, and
5 e. reasonable cost of vehicle impound fees associated
6 with the collection and security of crime scene
7 evidence;

8 2. "Board" means the Crime Victims Compensation Board created
9 by Section 142.4 of this title;

10 3. "Claimant" means any of the following persons applying for
11 compensation under the Crime Victims Compensation Act:

- 12 a. a victim,
13 b. a dependent of a victim who has died because of
14 criminally injurious conduct, or
15 c. a person authorized to act on behalf of any of the
16 persons enumerated in subparagraphs a and b of this
17 paragraph;

18 4. "Collateral source" means a source of benefits or advantages
19 for economic loss for which the claimant would otherwise be eligible
20 to receive compensation under this act, and which the claimant has
21 received, or which is readily available to the claimant, from any
22 one or more of the following:

- 23 a. the offender,

- 1 b. the government of the United States or any agency
2 thereof, in the form of benefits, such as social
3 security, Medicare and Medicaid, a state or any of its
4 political subdivisions or an instrumentality or two or
5 more states, unless the law providing for the benefits
6 or advantages makes them excessive or secondary to
7 benefits under this act,
8 c. state-required temporary nonoccupational disability
9 insurance,
10 d. workers' compensation,
11 e. wage continuation programs of any employer,
12 f. a contract providing prepaid hospital and other health
13 care services or benefits for disability,
14 g. a contract providing prepaid burial expenses or
15 benefits, or
16 h. proceeds of any contract of insurance payable to the
17 claimant for loss which the victim sustained because
18 of the criminally injurious conduct, except:
19 (1) life insurance proceeds or uninsured motorist
20 proceeds in an amount of Fifty Thousand Dollars
21 (\$50,000.00) or less shall not be considered a
22 collateral source when computing loss of support,
23 and

1 (2) life insurance proceeds and proceeds from
2 personal uninsured motorist coverage of any
3 amount shall not be considered a collateral
4 source for computing burial expenses;

5 5. a. "Criminally injurious conduct" means a misdemeanor or
6 felony which occurs or is attempted in this state, or
7 against a resident of this state in a state that does
8 not have an eligible crime victims compensation
9 program as such term is defined in the federal Victims
10 of Crime Act of 1984, Public Law 98-473, that results
11 in bodily injury, threat of bodily injury or death to
12 a victim which:

13 (1) may be punishable by fine, imprisonment or death,
14 or

15 (2) if the act is committed by a child, could result
16 in such child being adjudicated a delinquent
17 child.

18 b. Such term shall not include acts arising out of the
19 negligent maintenance or use of a motor vehicle
20 unless:

21 (1) the vehicle was operated or driven by the
22 offender while under the influence of alcohol,
23 with a blood alcohol level in excess of the legal

1 limit, or while under the influence of any other
2 intoxicating substance,

3 (2) the vehicle was operated or driven by the
4 offender with the intent to injure or kill the
5 victim or in a manner imminently dangerous to
6 another person and evincing a depraved mind,
7 although without any premeditated design to
8 injure or effect the death of any particular
9 person, ~~or~~

10 (3) the offense involved willful, malicious or
11 felonious failure to stop after being involved in
12 a personal injury accident to avoid detection or
13 prosecution, provided the victim of the accident
14 was a pedestrian or was operating a vehicle moved
15 solely by human power or a mobility device at the
16 time of contact, or

17 (4) the offense involving one or more vehicles
18 results in the death of the victim due to the
19 reckless disregard for the safety of others by
20 the offender. As used in this division,
21 "reckless disregard for the safety of others" is
22 defined as the omission to do something which a
23 reasonably careful person would do, or the lack

1 of the usual and ordinary care and caution in the
2 performance of an act usually and ordinarily
3 exercised by a person under similar circumstances
4 and conditions.

5 c. "Criminally injurious conduct" shall include an act of
6 terrorism, as defined in Section 2331 of Title 18,
7 United States Code, committed outside the United
8 States;

9 6. "Dependent" means a natural person wholly or partially
10 dependent upon the victim for care or support, and includes a child
11 of the victim born after the death of the victim where the death
12 occurred as a result of criminally injurious conduct;

13 7. "Economic loss of a dependent" means loss after death of the
14 victim of contributions of things of economic value to the
15 dependent, not including services which would have been received
16 from the victim if he or she had not suffered the fatal injury;

17 8. "Replacement services loss of dependent" means the loss
18 reasonably incurred by dependents after death of the victim in
19 obtaining ordinary and necessary services in lieu of those the
20 deceased victim would have performed for their benefit had the
21 deceased victim not suffered the fatal injury, less expenses of the
22 dependent avoided by reason of death of the victim and not
23 subtracted in calculating the economic loss of the dependent;

1 9. "Economic loss" means monetary detriment consisting only of
2 allowable expense, work loss, replacement services loss and, if
3 injury causes death, economic loss and replacement services loss of
4 a dependent, but shall not include noneconomic loss;

5 10. "Noneconomic detriment" means pain, suffering,
6 inconvenience, physical impairment and nonpecuniary damage;

7 11. "Replacement services loss" means expenses reasonably
8 incurred in obtaining ordinary and necessary services in lieu of
9 those the victim would have performed, not for income, but for the
10 benefit of self or family, if the victim had not been injured or
11 died;

12 12. "Traffic offense" means violation of a law relating to the
13 operation of vehicles, but shall not mean negligent homicide due to
14 operation of a motor vehicle, reckless driving, tampering with or
15 damaging a motor vehicle, failure of a driver of a motor vehicle
16 involved in an accident resulting in death or personal injury to
17 stop at the scene of the accident, leaving the scene of an accident
18 resulting in death or personal injury, operating or being in actual
19 physical control of a motor vehicle while intoxicated or impaired
20 due to alcohol or other intoxicating substance, or combination
21 thereof, or operating a motor vehicle with a blood alcohol content
22 in excess of the legal limit;

1 13. "Work loss for victim" means loss of income from work the
2 victim would have performed if such person had not been injured or
3 died, reduced by any income from substitute work actually performed
4 by the victim or by income the victim would have earned in available
5 appropriate substitute work that the victim was capable of
6 performing but unreasonably failed to undertake, or loss of income
7 from work the victim's caregiver would have performed if the
8 injuries of the victim sustained as a result of the criminally
9 injurious conduct had not created the need for the caregiver to miss
10 work to care for the injured victim; and

11 14. "Victim" means a person who suffers personal injury or
12 death as a result of criminally injurious conduct and shall include
13 a resident of this state who is injured or killed by an act of
14 terrorism committed outside of the United States.

15 SECTION 2. AMENDATORY 21 O.S. 2001, Section 142.5, is
16 amended to read as follows:

17 Section 142.5 A. The Crime Victims Compensation Board shall
18 award compensation for economic loss arising from criminally
19 injurious conduct if satisfied by a preponderance of the evidence
20 that the requirements for compensation have been met. The
21 Administrator of the Crime Victims Compensation Board may determine
22 initial victims' claims and any victim's claim ~~under Two Thousand~~
23 ~~Five Hundred Dollars (\$2,500.00)~~ up to Ten Thousand Dollars

1 (\$10,000.00). The Board may delegate any other victim's claim to
2 the Administrator of the Crime Victims Compensation Board at their
3 discretion. The claimant shall have a right of appeal to the Board
4 for any claim in dispute.

5 B. The Board shall hear and determine all matters relating to
6 claims for compensation of ~~Two Thousand Five Hundred Dollars~~
7 ~~(\$2,500.00)~~ Ten Thousand Dollars (\$10,000.00) or more and may hear
8 claims under ~~Two Thousand Five Hundred Dollars (\$2,500.00)~~ Ten
9 Thousand Dollars (\$10,000.00). The Board shall be able to
10 reinvestigate or reopen claims without regard to statutes of
11 limitation. However, claims that have been inactive for a period of
12 more than three (3) years from the date of the last action by the
13 Board shall be deemed closed and any further action forever barred.
14 Claim files may be destroyed after a claim is closed. Claims which
15 have been declined may be destroyed after nine (9) months, following
16 the last Board action, provided the claimant has not notified the
17 Board of any intentions to request reconsideration of the claim.

18 C. The Board shall have the power to subpoena witnesses, compel
19 their attendance, require the production of records and other
20 evidence, administer oaths or affirmations, conduct hearings and
21 receive relevant evidence.

1 D. The Board shall be provided such office, support, staff and
2 secretarial services as determined by the District Attorneys
3 Council.

4 SECTION 3. AMENDATORY 21 O.S. 2001, Section 142.9, as
5 amended by Section 1, Chapter 174, O.S.L. 2004 (21 O.S. Supp. 2006,
6 Section 142.9), is amended to read as follows:

7 Section 142.9 A. Any person filing a claim under the
8 provisions of Section 142.1 et seq. of this title shall be deemed to
9 have waived any physician-patient privilege as to communications or
10 records relevant to an issue of the physical, mental or emotional
11 conditions of the claimant.

12 B. If the mental, physical or emotional condition of a claimant
13 is material to a claim, the Crime Victims Compensation Board upon
14 good cause shown may order the claimant to submit to a mental or
15 physical examination. The examination report shall set out the
16 findings of the person making the report, including results of all
17 tests made, diagnoses, prognoses and other conclusions and reports
18 of earlier examinations of the same conditions.

19 C. The Board shall furnish a copy of the report examined. If
20 the victim is deceased, the Board, on request, shall furnish a copy
21 of the report to the claimant.

1 D. The Board may require the claimant to supply any additional
2 medical or psychological reports available relating to the injury or
3 death for which compensation is claimed.

4 E. In certain cases wherein mental health expenses are being
5 claimed, the Board and Administrator may request assistance from a
6 panel of professionals in the mental health field. The panel of
7 professionals may only act in an advisory capacity to the Board.

8 F. The Board shall have the authority to set limits of
9 compensation on any medical or mental health treatment, and require
10 that providers of medical or mental health treatments be licensed
11 prior to compensating for said treatment. Awards for all medical
12 services shall not exceed eighty percent (80%) of the total cost of
13 the service less any other reduction for contributory conduct, as
14 determined by the Board. Any medical provider that receives payment
15 from the Crime Victims Compensation Revolving Fund for medical,
16 dental or psychological services, or any provider that supplies
17 equipment pursuant to an award under the Oklahoma Crime Victims
18 Compensation Act shall, as a condition of the receipt of such
19 payment, accept such payment as discharging in full any and all
20 obligations of the claimant to pay, reimburse or compensate the
21 provider for medical services, supplies or equipment that have been
22 reimbursed pursuant to the Oklahoma Crime Victims Compensation Act.
23 In the event the claimant has paid for a medical service, the

1 claimant will be reimbursed for the out-of-pocket loss, less any
2 reductions for contributory conduct, as determined by the Board.

3 G. All records and information given to the Board to process a
4 claim on behalf of a crime victim shall be confidential. Such
5 exhibits, medical records, psychological records, counseling
6 records, work records, criminal investigation records, criminal
7 court case records, witness statements, telephone records, and other
8 records of any type or nature whatsoever gathered for the purpose of
9 evaluating whether to compensate a victim shall not be obtainable by
10 any party to any civil or criminal action through any discovery
11 process except:

12 1. In the event of an appeal under the Administrative
13 Procedures Act from a decision of the Board and then only to the
14 extent narrowly and necessarily to obtain court review; or

15 2. Upon a strict showing to the court in a separate civil or
16 criminal action that particular information or documents are not
17 obtainable after diligent effort from any independent source, and
18 are known to exist otherwise only in Board records, the court may
19 inspect in camera such records to determine whether the specific
20 requested information exists. If the court determines the specific
21 information sought exists in the Board's records, the documents may
22 then be released only by court order if the court finds as part of
23 its order that the documents will not pose any threat to the safety

1 of the victim or any other person whose identity may appear in the
2 Board's records.

3 H. When a person files a claim, all health care providers that
4 have been given notice of a pending claim shall refrain from all
5 debt collection activities relating to medical treatment received by
6 the person in connection with such claim until an award is made on
7 the claim or until a claim is determined to be noncompensable
8 pursuant to the provisions of this act. The statute of limitations
9 for collection of such debt shall be tolled during the period in
10 which the applicable health care provider is required to refrain
11 from debt collection activities under this subsection. For the
12 purposes of this subsection, "debt collection activities" means
13 repeatedly calling or writing to the claimant and threatening either
14 to turn the matter over to a debt collection agency or to an
15 attorney for collection, enforcement, or filing of other process.
16 The term shall not include routine billing about the status of the
17 claim.

18 SECTION 4. AMENDATORY 21 O.S. 2001, Section 142.10, is
19 amended to read as follows:

20 Section 142.10 A. Compensation shall not be awarded:

21 1. Unless the claim has been filed with the Board within one
22 (1) year after the injury or death upon which the claim is based.

23 The Board may, at its discretion, ~~waive this requirement, if~~ extend

1 the filing period up to two (2) years from the date of the incident,
2 provided the Board finds there was good cause for failure to file
3 the claim within one (1) year, ~~but in no event shall the filing of a~~
4 ~~claim be permitted after two (2) years from the date of the injury~~
5 ~~or death upon which the claim is based. The good cause exception~~
6 ~~shall be permitted only for injury or death occurring on or after~~
7 ~~November 1, 1989.~~ The Board may, at its discretion, extend the
8 filing deadline beyond two (2) years only in child sexual assault
9 cases. If the victim is mentally handicapped or is a child under
10 eighteen (18) years of age, the Board may use the date the criminal
11 incident was disclosed to a responsible adult, when establishing
12 whether or not the claim was timely filed;

13 2. To a claimant who was the offender, or an accomplice of the
14 offender;

15 3. To another person if the award would unjustly benefit the
16 offender or accomplice; or

17 4. Unless the criminally injurious conduct resulting in injury
18 or death was reported to a law enforcement officer within seventy-
19 two (72) hours after its occurrence or the Board finds there was
20 good cause for the failure to report within that time.

21 B. Compensation otherwise payable to a claimant shall be
22 diminished to the extent:

1 1. That the economic loss is recouped from collateral sources;
2 or

3 2. Of the degree of responsibility for the cause of the injury
4 or death attributable to the victim as determined by the Board.

5 C. The Board, upon finding that the claimant or victim has not
6 fully cooperated with appropriate law enforcement agencies, may
7 deny, withdraw or reduce an award of compensation.

8 D. The Board, on its own motion or on request of the claimant,
9 may reconsider a decision granting or denying an award or
10 determining its amount. The motion or request to reconsider a
11 decision shall be made within six (6) months from the date of the
12 last action by the Board on the claim at issue. An order on
13 reconsideration of an award shall not require a refund of amounts
14 previously paid, unless the award was obtained by fraud. The right
15 of reconsideration does not affect the finality of a Board decision
16 for the purpose of judicial review. On claims which are denied by
17 the Board, reconsideration may only be granted within six (6) months
18 of the last Board action.

19 E. The provisions of subsections A and B of this section shall
20 not apply to claimants eligible for compensation pursuant to the
21 Murrah Crime Victims Compensation Act who make claims under the
22 Oklahoma Crime Victims Compensation Act.

1 SECTION 5. AMENDATORY 21 O.S. 2001, Section 142.13, as
2 amended by Section 1, Chapter 154, O.S.L. 2005 (21 O.S. Supp. 2006,
3 Section 142.13), is amended to read as follows:

4 Section 142.13 A. The Crime Victims Compensation Board may
5 compensate for work loss, replacement services loss, dependent's
6 economic loss and dependent's replacement service loss.
7 Compensation for a caregiver who has out-of-pocket wage loss as a
8 result of caring for the victim who was injured as a result of
9 criminally injurious conduct may not exceed Two Thousand Dollars
10 (\$2,000.00).

11 B. Compensation payable to a victim and to all other claimants
12 sustaining economic loss because of injury to or death of that
13 victim may not exceed Twenty Thousand Dollars (\$20,000.00) in the
14 aggregate.

15 C. The Board may provide for the payment to a claimant in a
16 lump sum or in installments. At the request of the claimant, the
17 Board may convert future economic loss, other than allowable
18 expense, to a lump sum.

19 D. An award payable in a lump sum or installments for loss of
20 support for a dependent of the deceased victim may be computed
21 through a formula which calculates the net loss of support for
22 dependents based upon an estimated date of retirement or an
23 estimated date of adulthood for dependent children, beginning with

1 the date of death of the victim and ending with the least of one of
2 the following time periods for each dependent filing loss of
3 support:

4 1. The amount of time from the date of death of the victim to
5 the date the victim would have been expected to reach sixty-two (62)
6 years of age;

7 2. The amount of time from the date of death of the victim to
8 the date the spouse of the victim is expected to reach sixty-two
9 (62) years of age; or

10 3. The amount of time from the date of death of the victim to
11 the date a dependent child is expected to reach eighteen (18) years
12 of age or twenty-three (23) years of age if the dependent child is
13 enrolled as a full-time student. An award payable in installments
14 for future loss of support may be modified by the Board in the event
15 a dependent child receiving loss of support is between the ages of
16 eighteen (18) and twenty-three (23) years of age and is no longer
17 enrolled as a full-time student, the dependent dies before all
18 installments are paid or the dependent receiving installments moves
19 and leaves no forwarding address with the Board office.

20 E. An award shall not be subject to execution, attachment,
21 garnishment or other process, except for child support and except
22 that an award for allowable expense shall not be exempt from a claim
23 of a creditor to the extent that such creditor has provided

1 products, services or accommodations, the costs of which are
2 included in the award.

3 F. An assignment by the claimant to any future award under the
4 provisions of this act is unenforceable, except:

5 1. An assignment of any award for work loss to assure payment
6 of court ordered alimony, maintenance or child support; or

7 2. An assignment of any award for allowable expense to the
8 extent that the benefits are for the cost of products, services or
9 accommodations necessitated by the injury or death on which the
10 claim is based and are provided or to be provided by the assignee.

11 G. The Board may, in its discretion, approve payment of crisis
12 counseling, occurring within three (3) years of the crime, in an
13 amount not to exceed Three Thousand Dollars (\$3,000.00) for each
14 family member of a homicide victim; provided, the counselor is a
15 qualified mental health care provider. Medical and pharmaceutical
16 treatment is not compensable for any family member of a deceased
17 victim.

18 H. Outpatient counseling expenses for a victim of criminally
19 injurious conduct may be considered by the Board provided the
20 counseling is focused on the crime and the counselor is a qualified
21 mental health care provider. A total not to exceed Three Thousand
22 Dollars (\$3,000.00) may be awarded for individual counseling
23 sessions for victims of criminally injurious conduct. Sessions

1 between the mental health care provider and nonoffending parents of
2 a victimized child under eighteen (18) years of age may also be
3 included in the award provided the combined total for the counseling
4 and parental sessions do not exceed Three Thousand Dollars
5 (\$3,000.00) and the parental sessions relate to the victimization.
6 In extreme cases, the Board may, in its discretion, waive the three-
7 thousand-dollar limit. Inpatient mental health treatment will be
8 reviewed on a case-by-case basis and may be compensated, at the
9 discretion of the Board, in an amount not to exceed Ten Thousand
10 Dollars (\$10,000.00).

11 I. Reasonable funeral, cremation or burial expenses shall not
12 exceed Six Thousand Dollars (\$6,000.00).

13 J. Reasonable costs associated with homicide crime scene
14 cleanup shall not exceed Five Hundred Dollars (\$500.00).

15 K. Loss of income of a caregiver shall not exceed Two Thousand
16 Dollars (\$2,000.00).

17 L. Reasonable costs for vehicle impound fees are limited to
18 violent crimes occurring in a vehicle owned by the victim of the
19 violent crime or an eligible claimant, provided such fee is
20 associated with the collection and security of crime scene evidence.
21 Reimbursement for vehicle impound fees shall not exceed Seven
22 Hundred Fifty Dollars (\$750.00).

1 SECTION 6. AMENDATORY 21 O.S. 2001, Section 142.20, is
2 amended to read as follows:

3 Section 142.20 A. A Sexual Assault Examination Fund shall be
4 established for the purpose of providing to a victim of a sexual
5 assault a forensic medical examination by a qualified licensed
6 health care professional ~~for the procurement of evidence to aid in~~
7 ~~the investigation and prosecution of a sexual assault offense~~ and to
8 provide to the victim medications as directed by said health care
9 professional. ~~Pursuant to this subsection, medications provided to~~
10 ~~the victim by said health care professional shall only be provided~~
11 ~~to said victim on a one-time basis for the immediate trauma and~~
12 ~~medical examination of the victim.~~

13 B. As used in this section:

14 1. "Sexual assault" means:

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

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

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

1 C. The Crime Victims Compensation Board is authorized to pay
2 for this examination and the medications directed by the qualified
3 licensed health care professional upon application submitted by the
4 victim of a sexual assault ~~and approved by the district attorney or~~
5 ~~assistant district attorney who has jurisdiction over the~~
6 ~~prosecution of the sexual assault offense.~~

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

11 1. ~~Two Hundred Fifty Dollars (\$250.00)~~ Four Hundred Fifty
12 Dollars (\$450.00) for a sexual assault examination; and

13 2. Fifty Dollars (\$50.00) for medications which are related to
14 the sexual assault and directed and deemed necessary by said health
15 care professional.

16 Such payments shall not exceed the amounts specified by this
17 subsection regardless of the amount of any individual bills
18 comprising the claim. Payments shall be made only upon claims
19 ~~submitted by the victim and approved by the district attorney or~~
20 ~~assistant district attorney~~ signed by the victim or guardian and
21 health care professional.

22 E. The District Attorneys Council is hereby authorized to
23 transfer up to Two Hundred Seventy-five Thousand Dollars

1 (\$275,000.00) from the Crime Victims Compensation Fund to the Sexual
2 Assault Examination Fund for the payment of sexual assault forensic
3 examinations and medications, pursuant to this section.

4 SECTION 7. AMENDATORY 22 O.S. 2001, Section 40.1, as
5 amended by Section 2, Chapter 466, O.S.L. 2002 (22 O.S. Supp. 2006,
6 Section 40.1), is amended to read as follows:

7 Section 40.1 Upon the preliminary investigation of any rape or
8 forcible sodomy, it shall be the duty of the officer who interviews
9 the victim of the rape or forcible sodomy to inform the victim, or a
10 responsible adult if the victim is a minor child or an incompetent
11 person, of the twenty-four-hour statewide telephone communication
12 service established by the ~~Department of Mental Health and Substance~~
13 ~~Abuse Services~~ Office of the Attorney General for victims of sexual
14 assault pursuant to Section ~~3-314~~ 18p-5 of Title ~~43A~~ 74 of the
15 Oklahoma Statutes and to give notice to the victim or such
16 responsible adult of certain rights of the victim. The notice shall
17 consist of handing such victim or responsible adult a written
18 statement in substantially the following form:

19 "As a victim of the crime of rape or forcible sodomy, you have
20 certain rights. These rights are as follows:

- 21 1. The right to request that charges be pressed against your
22 assailant;

1 2. The right to request protection from any harm or threat of
2 harm arising out of your cooperation with law enforcement and
3 prosecution efforts as far as facilities are available and to be
4 provided with information on the level of protection available;

5 3. The right to be informed of financial assistance and other
6 social services available to victims, including information on how
7 to apply for the assistance and services;

8 4. The right to a free forensic medical examination ~~for the~~
9 ~~procurement of evidence to aid in the prosecution of your assailant;~~
10 and

11 5. The right to be informed by the district attorney of other
12 victim's rights available pursuant to Section 215.33 of Title 19 of
13 the Oklahoma Statutes."

14 The written notice shall also include the telephone number of the
15 twenty-four-hour statewide telephone communication service
16 established by the ~~Department of Mental Health and Substance Abuse~~
17 ~~Services~~ Office of the Attorney General in Section ~~3-314~~ 18p-5 of
18 Title ~~43A~~ 74 of the Oklahoma Statutes. Failure to report the crime
19 to law enforcement may impede the investigation and prosecution of
20 the assailant.

21 SECTION 8. This act shall become effective November 1, 2007.

22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-4-07 - DO
23 PASS, As Amended.