

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3889

By: Ford of the House

and

**Weaver** of the Senate

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10                               COMMITTEE SUBSTITUTE

11           An Act relating to domestic violence; directing the  
12           District Attorneys Council to develop and implement a  
13           domestic violence forensic exam pilot program;  
14           stating purpose of pilot program; authorizing certain  
15           counties to participate in pilot program;  
16           establishing the Domestic Violence Examination Fund;  
17           stating purpose of fund; defining terms; directing  
18           the Crime Victims Compensation Board to establish  
19           procedures for disbursing funds; providing  
20           limitations on amounts disbursed; stating  
21           requirements for claims; authorizing the District  
22           Attorneys Council to transfer funds; authorizing the  
23           Legislature to appropriate money to the Domestic  
24           Violence Examination Fund; authorizing the Council to  
          make contracts, execute documents, or perform acts to  
          carry out the pilot program; providing for  
          codification; and providing an effective date.

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

1       SECTION 1.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 421.21 of Title 21, unless there  
3 is created a duplication in numbering, reads as follows:

4       A. Contingent upon the availability of funds, the District  
5 Attorneys Council shall develop and implement a five-year Domestic  
6 Violence Forensic Exam Pilot Program. The purpose of the Domestic  
7 Violence Forensic Exam Pilot Program shall be to provide counties  
8 with qualified licensed health care professionals who shall conduct  
9 domestic violence forensic exams for victims of domestic violence  
10 assault. Counties with a population of more than one hundred  
11 thousand (100,000) according to the latest Federal Decennial Census  
12 may participate in the pilot program. In conjunction with the  
13 Domestic Violence Forensic Exam Pilot Program, a Domestic Violence  
14 Examination Fund shall be established in each participating county  
15 for the purpose of providing to a victim of domestic violence  
16 assault, a forensic medical examination by a qualified licensed  
17 health care professional.

18       B. As used in this section:

19       1. "Domestic violence" means any act of physical harm or the  
20 threat of imminent physical harm which is committed by an adult,  
21 emancipated minor, or minor child thirteen (13) years of age or  
22 older against another adult, emancipated minor, or minor child who  
23 is currently or was previously an intimate partner or family or  
24 household member;

1       2. "Intimate partner" means:

- 2           a. current or former spouses,
- 3           b. persons who are in a dating relationship,
- 4           c. persons who are the biological parents of the same
- 5               child, regardless of marital status or whether they
- 6               have lived together at any time, and
- 7           d. persons who currently or formerly lived together in an
- 8               intimate way, primarily characterized by affectionate
- 9               or sexual involvement. A sexual relationship may be
- 10              an indicator that a person is an intimate partner, but
- 11              is never a necessary condition;

12       3. "Living in the same household" means:

- 13           a. persons who regularly reside in the same single-
- 14               dwelling unit,
- 15           b. persons who resided in the same single-dwelling unit
- 16               within the past year, or
- 17           c. persons who have individual lease agreements whereby
- 18               each person has his or her own private bedroom and
- 19               shares common areas; and

20       4. "Qualified licensed health care professional" means a

21 physician, registered nurse, or other licensed health care

22 professional qualified by completion of a forty-hour didactic

23 domestic violence examiners course, as well as successful completion

24 of clinical competence.

1 C. The Crime Victims Compensation Board shall establish the  
2 procedures for disbursement of the Domestic Violence Examination  
3 Fund, but in no event shall the Crime Victims Compensation Board pay  
4 an amount to exceed Two Hundred Dollars (\$200.00) for a domestic  
5 violence forensic exam. Such payments shall not exceed the amounts  
6 specified by this subsection regardless of the amount of any  
7 individual bills comprising the claim. Payments shall be made only  
8 upon claims signed by the victim or guardian and qualified licensed  
9 health care professional.

10 D. The District Attorneys Council is hereby authorized to  
11 transfer funds, as specified in the appropriations bill annually,  
12 from the Crime Victims Compensation Fund to the Domestic Violence  
13 Examination Fund for the payment of domestic violence forensic  
14 exams, pursuant to this section.

15 E. The District Attorneys Council shall have the authority to  
16 make any contract, execute any document, or perform any act in order  
17 to carry out the Domestic Violence Forensic Exam Pilot Program.

18 F. Nothing in this section shall prevent the Legislature from  
19 appropriating funds to the Domestic Violence Examination Fund for  
20 the payment of domestic violence forensic examinations.

21 SECTION 2. This act shall become effective November 1, 2024.

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23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
24 02/29/2024 - DO PASS, As Amended and Coauthored.