

HB

270

AMENDMENT

OFFERED IN THE HOUSE HESS

BY REPRESENTATIVE COGHILL

TO: CSHB 270(HESS)

1 Page 1, line 6:

2 After the word "an adult

3 Delete:

4 "AN ADULT"

5 Insert:

6 a

7

8 After the words "victim of sexual assault under AS 11.41.410 – 11.41.425"

9 Insert:

10 who is 16 years of age or older

11

12

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14

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16 The purpose of this amendment is to ensure that 16 and 17 year old adults receive the

17 protection from this law as other adults.

18

1-LS1108\M
Luckhaupt
2/25/00

*State AA
Adopted*

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 270()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES CROFT, Halcro, Kerttula, Smalley

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to payment for certain examinations in cases of sexual assault."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 18.68 is amended by adding a new section to read:**

4 **Sec. 18.68.040. Sexual assault victim may not be required to pay for**
5 **examination. A law enforcement agency, health care facility, or other entity may not**
6 **require an adult victim of sexual assault under AS 11.41.410 - 11.41.425 to pay,**
7 **directly or indirectly, through health insurance or any other means, for the costs of**
8 **examination of the victim necessary for**

9 **(1) collecting evidence using the sexual assault examination kit under**
10 **AS 18.68.010 or otherwise; or**

11 **(2) determining whether a sexual assault has occurred.**



Representative Eric Croft

Sponsor Statement

Sponsor Substitute for House Bill 270

"Payment of Evidentiary Forensic Exams"

SSHB 270 makes sure that adult victims of sexual assault are not charged for the costs of evidentiary forensic exams.

A victim of sexual assault has by definition been victimized once. In order to facilitate investigation of the crime and prosecution of the criminal, a victim is often asked to submit to a forensic exam to gather evidence. The forensic exams often involve taking physical samples and photographs. While it is the ordinary police practice to pay for these evidence gathering exams, some victims now report that they have been asked to pay for the cost of the forensic exam itself through their medical insurance. To many victims of sexual assault, this is a third victimization.

No victim should have to pay the cost of the exam, especially after such a traumatic and painful experience. When a house is burglarized and law enforcement takes photos, fingerprints or electronic analysis of evidence, the victim is never sent the bill, directly or indirectly. Nor should they. We have faith that most law enforcement agencies take responsibility for victims' needs and appropriately pay for evidentiary exams as needed. Those few law enforcement agencies that attempt to transfer this cost to the victim should be stopped.

With the passage of HB 270, victims would be assured that they could not be required to pay for evidentiary forensic exams.

FISCAL NOTE

**STATE OF ALASKA
2000 LEGISLATIVE SESSION**

BILL NO. SSHB 270

Revision Date _____	Dept. Affected <u>Public Safety</u>
Title <u>SEXUAL ASSAULT & SEXUAL ABUSE</u>	BRU <u>Alaska State Trooper Detachments</u>
Sponsor <u>Representative Croft</u>	Component: <u>Alaska State Trooper Detachments</u>
Requester <u>H. State Affairs Committee</u>	Component No. <u>2325</u>

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill is not expected to have an adverse impact on the budget.

Prepared by: <u>Royce Weller, Special Assistant</u>	Phone <u>465-4322</u>
Division <u>Office of the Commissioner</u>	Date/Time <u>3/3/2000</u>
Approved by: <u><i>Ronald L. Otte</i></u>	Date <u>3-6-00</u>
Agency <u>Commissioner Ronald L. Otte, Dept. of Public Safety</u>	

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HOUSE COMMITTEE REPORT

Date Referred to Committee: March 15, 2000

FURTHER REFERRALS:

Finance

Date of Committee Action: 03/28/00

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

SSHB 270

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 270

SEXUAL ASSAULT & SEXUAL ABUSE

"An Act relating to sexual assault and sexual abuse and to payment for certain examinations in cases of alleged sexual assault or sexual abuse."

recommends it be replaced with the following committee substitute [] the same title [] a new title

[] additional referral to Committee [] attached amendment(s)

ADOPTS: Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date) [] fiscal note(s) [] fiscal note(s)

[] zero fiscal note(s) [x] zero fiscal note(s) DPS

Table with 5 columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Contains handwritten signatures and checkmarks.

CHAIR'S SIGNATURE [Signature] 3/26/00