Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

SENATE BILL NO. 2284
(Senators Nelson, Anderson, Grabinger)
(Representatives Boschee, Delmore, Maragos)

AN ACT to create and enact section 23-16-16 of the North Dakota Century Code, relating to hospital treatment of victims of sexual assault; to provide a penalty; to designate the use of oil and gas impact grants; and to provide for reports.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 23-16-16 of the North Dakota Century Code is created and enacted as follows:

23-16-16. Treatment of victims of sexual assault.

1. As used in this section:

   a. "Hospital" means an entity required to obtain a license under section 23-16-01.

   b. "Sexual assault" has the same meaning as provided under section 12.1-20-07.

   c. "Victim of sexual assault" means an individual who:

      (1) States a sexual assault has been committed against the individual;

      (2) Is accompanied by another individual who states a sexual assault has been committed against the accompanied individual; or

      (3) Hospital personnel or a sexual assault nurse examiner have reason to believe is a victim of sexual assault.

2. A hospital may not require a victim of sexual assault to submit to a forensic examination or to report the alleged sexual assault to law enforcement.

3. A hospital without staff specially trained to perform a sexual assault forensic examination may coordinate with a community-based sexual assault nurse examiner nurse program or develop a sexual assault examiner nurse program to ensure all victims of sexual assault who want a sexual assault forensic examination or sexually transmitted infection treatment receive that examination or treatment.

SECTION 2. BOARD OF UNIVERSITY AND SCHOOL LANDS - USE OF OIL AND GAS IMPACT GRANTS - REPORTS. The board of university and school lands, from funds designated in House Bill No. 1176 as approved by the sixty-fourth legislative assembly for grants to law enforcement agencies impacted by oil and gas development, shall make available $250,000 for grants through the domestic violence and rape crisis program for community-based or hospital-based sexual assault examiner programs, for the biennium beginning July 1, 2015, and ending June 30, 2017. The board of university and school lands shall award the grants as directed by the attorney general. Any organization that receives a grant under this section shall report to the attorney general and the appropriations committees of the sixty-fifth legislative assembly on the use of the funds received and the outcomes of its program. The attorney general shall report to the sixty-fifth legislative assembly on the number of nurses trained, the number and location of nurses providing services related to sexual assault nurse examiner programs, and documentation of collaborative efforts to assist victims which includes nurses, the hospital or clinic, law enforcement, states attorneys, and sexual assault advocates. Grant funds awarded under this section may not be used for salaries for nurses.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2284.

Senate Vote:	Yeas 45	Nays 0	Absent 2
House Vote:	Yeas 88	Nays 0	Absent 6

Secretary of the Senate

Received by the Governor at 10:43 A.M. on April 21, 2015.

Approved at 2:13 P.M. on April 23, 2015.

Governor

Filed in this office this 23rd day of April, 2015,

at 4:12 o'clock P. M.

Secretary of State