

SENATE BILL NO. 2103

Introduced by

Senators Lyson, Dever, Heckaman

Representatives Carlisle, Porter

1 A BILL for an Act to create and enact a new section to chapter 12.1-34 of the North Dakota
2 Century Code, relating to the cost of forensic medical examinations for victims of sexual
3 assault; and to provide an appropriation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 12.1-34 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Forensic medical examinations costs - Reimbursement by attorney general - Use**
8 **of evidence.**

9 1. When a forensic medical examination is performed on a victim of criminal sexual
10 conduct for the purpose of gathering evidence of an alleged crime, the costs
11 incurred by a health care facility or health care professional for performing the
12 examination may not be charged, either directly or through a third-party payer, to
13 the victim.

14 2. Upon submission of appropriate documentation, the attorney general, within the
15 limits of legislative appropriations, shall reimburse the health care facility or a
16 health care professional for the reasonable costs incurred in performing an
17 examination.

18 3. Evidence obtained during a forensic medical examination may not be used against
19 a victim for the prosecution of the victim for a separate offense.

20 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the
21 general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much
22 of the sum as may be necessary, to the attorney general for the purpose of reimbursing health
23 care facilities and health care professionals for the costs of performing forensic medical

Sixtieth
Legislative Assembly

- 1 examinations on victims of criminal sexual conduct, for the biennium beginning July 1, 2007,
- 2 and ending June 30, 2009.