

Sixty-fourth  
Legislative Assembly  
of North Dakota

## REENGROSSED SENATE BILL NO. 2284

Introduced by

Senators Nelson, Anderson, Grabinger

Representatives Boschee, Delmore, Maragos

1 A BILL for an Act to create and enact section 23-16-16 of the North Dakota Century Code,  
2 relating to hospital treatment of victims of sexual assault; to provide a penalty; ~~and to provide an-~~  
3 ~~appropriation~~to designate the use of oil and gas impact grants; and to provide for reports.

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

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

7 **Treatment of victims of sexual assault.**

8 1. As used in this section:

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

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

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

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

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

15 (3) An individual who hospital personnel or a sexual assault nurse examiner  
16 have reason to believe is a victim of sexual assault.

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

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

1 ~~— **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general~~  
2 ~~fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the~~  
3 ~~sum as may be necessary, to the state department of health for the division of injury prevention~~  
4 ~~and control to provide grants through the domestic violence/rape crisis program for~~  
5 ~~community-based and hospital-based sexual assault nurse examiner programs, for the~~  
6 ~~biennium beginning July 1, 2015, and ending June 30, 2017. A recipient of a grant under this~~  
7 ~~section shall use the grant funds to train and support a sexual assault nurse examiner program.~~

8 **SECTION 2. BOARD OF UNIVERSITY AND SCHOOL LANDS - USE OF OIL AND GAS**  
9 **IMPACT GRANTS - REPORTS.** The board of university and school lands, from funds  
10 designated in House Bill No. 1176 as approved by the sixty-fourth legislative assembly for  
11 grants to law enforcement agencies impacted by oil and gas development, shall make available  
12 \$250,000 for grants through the domestic violence and rape crisis program for  
13 community-based or hospital-based sexual assault examiner programs, for the biennium  
14 beginning July 1, 2015, and ending June 30, 2017. The board of university and school lands  
15 shall award the grants as directed by the attorney general. Any organization that receives a  
16 grant under this section shall report to the attorney general and the appropriations committees  
17 of the sixty-fifth legislative assembly on the use of the funds received and the outcomes of its  
18 program. The attorney general shall report to the sixty-fifth legislative assembly on the number  
19 of nurses trained, the number and location of nurses providing services related to sexual  
20 assault nurse examiner programs, and documentation of collaborative efforts to assist victims  
21 which includes nurses, the hospital or clinic, law enforcement, states attorneys, and sexual  
22 assault advocates. Grant funds awarded under this section may not be used for salaries for  
23 nurses.