

ASSEMBLY BILL NO. 307—ASSEMBLYMEN HORNE, SPRINKLE,
HEALEY, PIERCE; AIZLEY, ELLIOT ANDERSON, BENITEZ-
THOMPSON, CARLTON, CARRILLO, COHEN, HOGAN,
LIVERMORE, MUNFORD, NEAL AND SWANK

MARCH 15, 2013

JOINT SPONSORS: SENATORS SEGERBLOM;
ATKINSON AND FORD

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing victims of crime.
(BDR 16-743)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

EXPLANATION — Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to victims of crime; repealing and replacing
certain provisions relating to the treatment of victims of
sexual assault; revising various provisions relating to the
medical and psychological treatment of victims of sexual
assault and certain other persons; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a county to pay any costs incurred for the medical care for any physical injuries resulting from a sexual assault that occurs within the county. (NRS 217.300) Existing law also requires any costs incurred by a hospital for: (1) the examination of the victim of a sexual offense; or (2) the initial medical care of the victim, to be charged to the county in whose jurisdiction the offense was committed. (NRS 449.244) **Section 14** of this bill repeals NRS 449.244 and replaces the provisions in **sections 9 and 10** of this bill.

Existing law: (1) authorizes a victim of a sexual assault, or the spouse of the victim who suffers emotional distress, to submit an affidavit and apply to the board of county commissioners in the county where the sexual assault occurred for certain treatment at county expense; and (2) authorizes a victim of a sexual assault who has suffered emotional trauma to select a relative or close friend to receive counseling with the victim under certain circumstances. (NRS 217.310) **Section 10** of this bill provides that a victim of a sexual assault must file a report with the appropriate law



* A B 3 0 7 R 1 *

15 enforcement agency or submit to a forensic medical examination before the victim,
16 spouse, relative or close friend may receive such treatment.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** (Deleted by amendment.)
3 **Sec. 3.** (Deleted by amendment.)
4 **Sec. 4.** (Deleted by amendment.)
5 **Sec. 5.** (Deleted by amendment.)
6 **Sec. 6.** (Deleted by amendment.)
7 **Sec. 7.** (Deleted by amendment.)
8 **Sec. 8.** (Deleted by amendment.)
9 **Sec. 9.** NRS 217.300 is hereby amended to read as follows:
10 217.300 **1.** The county in whose jurisdiction a sexual assault
11 is committed shall ~~pay~~ :
12 **(a) Pay** any costs incurred for medical care for any physical
13 injuries resulting from the **sexual** assault which is provided to the
14 victim not later than 72 hours after the victim first arrives for
15 treatment.
16 **(b) Pay** any costs incurred by a hospital for the forensic
17 medical examination of the victim.
18 **2.** Any costs incurred pursuant to subsection 1:
19 **(a) Must not be charged directly to the victim of sexual assault.**
20 **(b) Must be charged to the county in whose jurisdiction the**
21 **offense was committed.**
22 **3.** The filing of a report with the appropriate law enforcement
23 agency must not be a prerequisite to qualify for a forensic medical
24 examination pursuant to this section.
25 **4.** The costs associated with a forensic medical examination
26 must not be included in the costs for medical treatment pursuant
27 to NRS 217.310.
28 **5.** As used in this section, "forensic medical examination"
29 means an examination by a health care provider to obtain
30 evidence from a victim of sexual assault.
31 **Sec. 10.** NRS 217.310 is hereby amended to read as follows:
32 217.310 **1.** If any victim of sexual assault requires medical
33 treatment for physical injuries as a result of the sexual assault, in
34 addition to any initial emergency medical care provided, or if any
35 victim or spouse of such a victim suffers emotional trauma as a
36 result of the sexual assault, the victim or spouse may, upon
37 submitting an affidavit as required by subsection 2, apply to the
38 board of county commissioners in the county where the sexual
39 assault occurred for treatment at county expense.



2. The board shall approve an application for treatment upon receiving an affidavit from the applicant declaring that:

(a) The applicant is a victim of sexual assault or spouse of such a victim;

(b) The sexual assault occurred in the county; and

(c) The victim requires medical treatment for physical injuries, or the victim or spouse has suffered emotional trauma, as a result of the sexual assault.

3. A victim who has suffered emotional trauma may select a relative or close friend to receive counseling with the victim if the counselor agrees that such companionship will be helpful to the victim. If the victim's application for treatment is approved, counseling for the relative or friend must also be approved.

4. ~~The filing of~~ *A victim must file* a report with the appropriate law enforcement agency ~~list~~ *or submit to a forensic medical examination pursuant to NRS 217.300 as* a prerequisite *for the victim or any other person eligible* to qualify for treatment under the provisions of this section.

5. *Whenever costs are incurred by a hospital for treatment which has been approved by the board of county commissioners pursuant to this section for the victim of a sexual assault and any other person eligible for treatment, the costs of the treatment, not to exceed \$1,000, must be charged to the county which authorized the treatment. Any remainder must be handled the same as other hospital costs.*

Sec. 11. (Deleted by amendment.)

Sec. 12. (Deleted by amendment.)

Sec. 13. (Deleted by amendment.)

Sec. 14. NRS 449.244 is hereby repealed.

TEXT OF REPEALED SECTION

449.244 Certain costs for examination or treatment of victims of sexual offenses to be charged to county.

1. Any costs incurred by a hospital for:

(a) The examination of the victim of a sexual offense, when the examination is performed for the purposes of gathering evidence for possible prosecution of the person who committed the offense; or

(b) Initial emergency medical care for the victim,

↪ must not be charged directly to the victim. The costs must be charged to the county in whose jurisdiction the offense was committed.



* A B 3 0 7 R 1 *

2. Whenever costs are incurred by a hospital for treatment which has been approved by the board of county commissioners pursuant to NRS 217.310 for the victim of a sexual assault and any other person eligible for treatment, the costs of the treatment, not to exceed \$1,000, must be charged to the county which authorized the treatment. Any remainder must be handled the same as other hospital costs.

③



* A B 3 0 7 R 1 *