



House of Representatives

General Assembly

File No. 62

February Session, 2010

House Bill No. 5251

House of Representatives, March 16, 2010

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING PAYMENT OF THE COSTS OF FORENSIC SEXUAL ASSAULT EVIDENCE EXAMINATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (e) of section 19a-112a of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (e) (1) No costs incurred by a health care facility for the examination
5 of a victim of sexual assault, when such examination is performed for
6 the purpose of gathering evidence as prescribed in the protocol,
7 including the costs of testing for pregnancy and sexually transmitted
8 diseases and the costs of prophylactic treatment as provided in the
9 protocol, shall be charged directly or indirectly to such victim. Any
10 such costs shall be charged to the [Division of Criminal Justice] Office
11 of Victim Services within the Judicial Department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	19a-112a(e)(1)

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill transfers the responsibility for payment of the costs incurred by health care facilities for forensic sexual assault evidence examinations from the Division of Criminal Justice to the Office of Victim Services (OVS) of the Judicial Branch. The associated funding for this program has already been transferred from the Division of Criminal Justice to the Judicial Department.¹ As a result, this bill would codify current practice and would not result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

Sources: Public Act No. 09-7

¹ PA 09-7, An Act Implementing the Provisions of the Budget Concerning General Government and Making Changes to Various Programs, provided the Judicial Branch with \$1.02 million in both FY 10 and FY 11 to cover the costs of forensic sexual assault evidence exams.

OLR Bill Analysis

HB 5251

***AN ACT CONCERNING PAYMENT OF THE COSTS OF FORENSIC
SEXUAL ASSAULT EVIDENCE EXAMINATIONS.***

SUMMARY:

This bill requires health care facilities in the state to charge the Office of Victim Services, instead of the Division of Criminal Justice, for sexual assault victim examinations conducted to gather evidence in accordance with state guidelines. By law, these costs cannot be charged to the victim.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 34 Nay 0 (03/03/2010)