

HOUSE BILL 1311

E2

9lr2932

By: **Delegate Conaway**

Introduced and read first time: February 15, 2019

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Sexual Assault Evidence Kit Policy and Funding Committee –**
3 **Voluntary Payment by Victim for Testing of Kit**

4 FOR the purpose of requiring the Maryland Sexual Assault Evidence Kit Policy and
5 Funding Committee to develop a process to allow the health insurance carrier of a
6 victim of a sexual assault to elect to pay for the testing of a sexual assault evidence
7 collection kit; and generally relating to the duties of the Maryland Sexual Assault
8 Evidence Kit Policy and Funding Committee.

9 BY repealing and reenacting, without amendments,
10 Article – Criminal Procedure
11 Section 11–927(a)
12 Annotated Code of Maryland
13 (2018 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article – Criminal Procedure
16 Section 11–927(e)
17 Annotated Code of Maryland
18 (2018 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Criminal Procedure**

22 11–927.

23 (a) In this section, “Committee” means the Maryland Sexual Assault Evidence
24 Kit Policy and Funding Committee.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (e) (1) The Committee shall develop and disseminate best practices
2 information and recommendations regarding:

3 (i) the testing and retention of sexual assault evidence collection
4 kits;

5 (ii) coordination between State agencies, victim services providers,
6 local law enforcement, and local sexual assault response teams;

7 (iii) payment for sexual assault evidence collection kits, **INCLUDING**
8 **DEVELOPMENT OF A PROCESS TO ALLOW THE HEALTH INSURANCE CARRIER OF THE**
9 **VICTIM TO ELECT TO PAY FOR THE TESTING OF A SEXUAL ASSAULT EVIDENCE**
10 **COLLECTION KIT;**

11 (iv) increasing the availability of sexual assault evidence collection
12 exams for alleged victims of sexual assault;

13 (v) reducing the shortage of forensic nurse examiners;

14 (vi) increasing the availability of information to sexual assault
15 victims regarding:

- 16 1. criminal prosecutions of sexual assault crimes;
- 17 2. civil law remedies available to victims of sexual assault;
- 18 3. sexual assault evidence collection kits; and
- 19 4. victim rights; and

20 (vii) creating and operating a statewide sexual assault evidence
21 collection kit tracking system that is accessible to victims of sexual assault and law
22 enforcement.

23 (2) The Committee may adopt rules governing the administration and
24 proceedings of the Committee.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2019.