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RAPE CRISIS CENTER AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Angela Romero

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends definitions relating to rape crisis centers and sexual assault counselors.

Highlighted Provisions:

This bill:

- ▶ amends definitions relating to rape crisis centers and sexual assault counselors; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-5-606, as enacted by Laws of Utah 2017, Chapter 249

77-38-203, as renumbered and amended by Laws of Utah 2008, Chapter 3

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-5-606** is amended to read:

76-5-606. Victim notification of rights -- Notification of law enforcement.

(1) Collecting facility personnel who conduct sexual assault examinations shall inform each victim of a sexual assault of:



28 (a) available services for treatment of sexually transmitted infections, pregnancy, and
29 other medical and psychiatric conditions;

30 (b) available crisis intervention or other mental health services provided;

31 (c) the option to receive prophylactic medication to prevent sexually transmitted
32 infections and pregnancy;

33 (d) the right to determine:

34 (i) whether to provide a personal statement about the sexual assault to law
35 enforcement; and

36 (ii) if law enforcement should have access to any paperwork from the forensic
37 examination; and

38 (e) the victim's rights as provided in Section 77-37-3.

39 (2) The collecting facility shall notify law enforcement as soon as practicable if the
40 victim of a sexual assault decides to interview and discuss the assault with law enforcement.

41 (3) If a victim of a sexual assault declines to provide a personal statement about the
42 sexual assault to law enforcement, the collecting facility shall provide a written notice to the
43 victim that contains the following information:

44 (a) where the sexual assault kit will be stored;

45 (b) notice that the victim may choose to contact law enforcement any time after
46 declining to provide a personal statement;

47 (c) the name, phone number, and email address of the law enforcement agency having
48 jurisdiction; and

49 (d) the name and phone number of a local rape crisis and services center.

50 Section 2. Section 77-38-203 is amended to read:

51 **77-38-203. Definitions.**

52 As used in this part:

53 (1) "Confidential communication" means information given to a sexual assault
54 counselor by a victim and includes reports or working papers made in the course of the
55 counseling relationship.

56 (2) "Rape crisis and services center" means [~~any office, institution, or center assisting~~]
57 a nonprofit entity that assists victims of sexual assault and [~~their~~] the victims' families [~~which~~
58 offers] by offering sexual assault crisis intervention[~~, medical, and legal services,~~] and

59 counseling through a sexual assault counselor.

60 (3) "Sexual assault counselor" means [~~a person~~] an individual who:

61 (a) is employed by or volunteers at a rape crisis and services center [~~who~~];

62 (b) has a minimum of 40 hours of training in counseling and assisting victims of sexual
63 assault; and [~~who~~]

64 (c) is under the supervision of the director or designee of a rape crisis and services
65 center.

66 (4) "Victim" means [~~a person~~] an individual who has experienced a sexual assault of
67 whatever nature including incest and rape and requests counseling or assistance regarding the
68 mental, physical, and emotional consequences of the sexual assault.