

SECOND REGULAR SESSION

HOUSE BILL NO. 1839

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LOW (39) (Sponsor), SCHIEFFER, WALSH, DOUGHERTY, LOWE (44), WILDBERGER, ROORDA, MEINERS, OXFORD, HUGHES AND LAMPE (Co-sponsors).

Read 1st time January 24, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3825L.01I

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to drug testing of rape victims.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.220, to read as follows:

191.220. 1. This section shall be known and may be cited as "Christy's Law".

2. The department of health and senior services shall require all health care personnel involved in the examination and treatment of rape victims to inform such victims of their right to request a drug test for the presence of a date rape drug. After informing rape victims of their right to request such a drug test, the health care provider shall:

(1) Provide the victim with a release form to sign stating that the victim has been informed of the victim's right to request such a drug test; and

(2) If such a drug test is requested, to administer the test and include any results from the test with all other evidence and test results collected during the rape examination and shall be treated in the same manner as other evidence and test results so collected.

3. As used in this section, "date rape drug" means any drug which can be used to assist in the commission of a sexual assault. Such drugs include any drugs that commonly have sedative, hypnotic, and amnestic affects, and when used to facilitate rape are often added to a food or drink without the victim's knowledge.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 **4. The department may promulgate rules to implement the provisions of this**
16 **section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
17 **that is created under the authority delegated in this section shall become effective only if**
18 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
19 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
20 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
21 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
22 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
23 **adopted after August 28, 2008, shall be invalid and void.**

✓