

FIRST REGULAR SESSION

HOUSE BILL NO. 414

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LOW (Sponsor), McNEIL, OXFORD, MORRIS, WILDBERGER, SKAGGS, ZIMMERMAN, STORCH, KANDER, WALTON GRAY, PACE, KRATKY, CORCORAN, LAMPE AND YAEGER (Co-sponsors).

0605L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to victims of sexual rape or sexual assault.

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 that appropriate medical providers involved in the forensic examination or medical treatment, as defined in section 191.225, of victims of sexual offenses inform such victims of their right to request a drug test for the presence of specific drugs used to facilitate a rape or sexual assault. After informing the victim of a sexual offense of his or her right to request such a drug test, the appropriate medical 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 forensic examination and shall be treated in the same manner as other evidence and test results so collected. The cost of such test or tests shall be considered as part of the forensic examination for which reimbursement may be sought under section 191.225.

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 **3. As used in this section, "rape drug" means any drug described in Section 7(c)**
16 **of the Hillory J. Farias and Samantha Reid Date-Rape Drug Prohibition Act of 2000, P.L.**
17 **106-172, including but not limited to GHB (gamma-hydroxybutyrate), rohypnol, ketamine,**
18 **and ecstasy.**

19 **4. The department may promulgate rules to implement the provisions of this**
20 **section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
21 **that is created under the authority delegated in this section shall become effective only if**
22 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
23 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
24 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
25 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
26 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
27 **adopted after August 28, 2009, shall be invalid and void.**

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