

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB 2546
Version:	SAHB
Request Number:	
Author:	Rep. Munson
Date:	5/4/2021
Impact:	\$0

Research Analysis

The Senate amendment to HB 2546 creates the "Sexual Assault Victims' Right to Information Act". The measure provides definitions and provides that a sexual assault victim retains all the rights of this act regardless of whether the victim agrees to participate in the criminal justice system at any time and regardless of whether the victim agrees to receive a medical evidentiary examination to collect sexual assault forensic evidence. The bill provides that a sexual assault victim has a right to consult with a sexual assault advocate during any examination or interview. The measure provides that communications between a victim and advocate are confidential and privileged. The victim is to be notified of their rights prior to a medical evidentiary or physical examination and the right to consult with a sexual assault victims' advocate. The victim is to be notified of their right to consult a sexual assault advocate prior to being interviewed by law enforcement or the district attorney. If counsel is retained by the victim, the counsel may be present during all stages of the investigation or other interaction with the victim. The measure provides that a sexual assault victim has the right to request and receive the results and status of the analysis of the sexual assault forensic evidence of the victim and a copy of the police report when completed. The measure states that a law enforcement officer or medical provider is to provide the victim with a document to be that explains the rights of sexual assault victims. The measure requires medical personnel to inform victims of sexual assault of their rights.

Prepared By: Brad Wolgamott

Fiscal Analysis

The Senate amendments to the measure make certain changes regarding the presence of sexual assault victims' advocates during the process of a sexual assault investigation.

Upon review and with consultation from the District Attorney's Council, no direct impact to state revenues or expenditures is anticipated from passage of the measure as amended.

Prepared By: Clayton Mayfield

Other Considerations

None.