

HOUSE BILL NO. 1473

Introduced by

Representatives Jensen, Delmore

Senators C. Nelson, W. Stenehjem

1 A BILL for an Act to amend and reenact sections 14-07.1-01, 14-07.1-15, and 14-07.1-16 of the
2 North Dakota Century Code, relating to the domestic violence and sexual assault prevention
3 fund; and to provide an appropriation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 14-07.1-01 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **14-07.1-01. Definitions.**

- 8 1. "Department" means the state department of health.
- 9 2. "Domestic violence" includes physical harm, bodily injury, sexual activity compelled
10 by physical force, assault, or the infliction of fear of imminent physical harm, bodily
11 injury, sexual activity compelled by physical force, or assault, not committed in
12 self-defense, on the complaining family or household members.
- 13 3. "Domestic violence or sexual assault organization" means a private, nonprofit
14 organization whose primary purpose is to provide emergency housing, twenty-four
15 hour crisis lines, advocacy, supportive peer counseling, community education, and
16 referral services for victims of domestic violence or sexual assault.
- 17 4. "Family or household member" means a spouse, family member, former spouse,
18 parent, child, persons related by blood or marriage, persons who are in a dating
19 relationship, persons who are presently residing together or who have resided
20 together in the past, persons who have a child in common regardless of whether
21 they are or have been married or have lived together at any time, and, for the
22 purpose of the issuance of a domestic violence protection order, any other person
23 with a sufficient relationship to the abusing person as determined by the court
24 under section 14-07.1-02.

- 1 5. "Health officer" means the state health officer of the department.
- 2 6. "Law enforcement officer" means a public servant authorized by law or by a
- 3 government agency to enforce the law and to conduct or engage in investigations
- 4 of violations of law.
- 5 7. "Willfully" means willfully as defined in section 12.1-02-02.

6 **SECTION 2. AMENDMENT.** Section 14-07.1-15 of the North Dakota Century Code is

7 amended and reenacted as follows:

8 **14-07.1-15. Domestic violence and sexual assault prevention fund established.**

9 The domestic violence and sexual assault prevention fund is a special fund in the state

10 treasury. The moneys accumulated in the fund are allocated to the department for distribution

11 as provided by this chapter and within the limits of legislative appropriation. The fund is not

12 subject to section 54-44.1-11.

13 **SECTION 3. AMENDMENT.** Section 14-07.1-16 of the North Dakota Century Code is

14 amended and reenacted as follows:

15 **14-07.1-16. Grants - Eligibility - Conditions - Limitation.** The department shall

16 administer moneys in the domestic violence and sexual assault prevention fund for grants to

17 domestic violence or sexual assault organizations as defined in section 14-07.1-01. ~~An~~ Up to

18 ten percent of the fund may be allocated to the state domestic violence or sexual assault

19 coalition, as recognized by the state department of health. A direct service provider agency that

20 is an eligible entity must receive at least twenty-five percent of its funding from one or more

21 local, municipal, or county sources, either in cash or in kind. Grants are renewable within the

22 limits of legislative appropriation, if the applicant continues to meet the eligibility criteria

23 established by this section and rules adopted by the department. Grant application deadlines

24 may be included in any rules adopted to implement this section.