

SENATE BILL NO. 2383

Introduced by

Senators Fischer, Dever, J. Lee

Representatives Delmore, D. Johnson, Weisz

1 A BILL for an Act to create and enact a new subsection to section 50-25.1-02 of the North
2 Dakota Century Code, relating to the definition of children's advocacy center; to amend and
3 reenact section 50-25.1-05 and subsection 3 of section 50-25.1-11 of the North Dakota Century
4 Code, relating to the role of children's advocacy centers in the investigation of child abuse and
5 neglect; and to provide an appropriation.

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

7 **SECTION 1.** A new subsection to section 50-25.1-02 of the North Dakota Century Code
8 is created and enacted as follows:

9 "Children's advocacy center" means a full or associate member of the national
10 children's alliance which assists in the coordination of the investigation in response
11 to allegations of child abuse by providing a dedicated child-friendly location at
12 which to conduct forensic interviews, forensic medical examinations, and other
13 appropriate services and which promotes a comprehensive multidisciplinary team
14 response to allegations of child abuse. The team response may include forensic
15 interviews, forensic medical examinations, mental health and related support
16 services, advocacy, and case review.

17 **SECTION 2. AMENDMENT.** Section 50-25.1-05 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **50-25.1-05. Assessment.** The department, in accordance with rules adopted by the
20 department, immediately shall initiate an assessment, or cause an assessment, of any report of
21 child abuse or neglect including, when appropriate, the assessment of the home or the
22 residence of the child, any school or child care facility attended by the child, and the
23 circumstances surrounding the report of abuse or neglect. If the report alleges a violation of a
24 criminal statute involving sexual or physical abuse, the department and an appropriate law

1 enforcement agency shall coordinate the planning and execution of their investigation efforts to
2 avoid a duplication of factfinding efforts and multiple interviews. Referral to a children's
3 advocacy center for a forensic interview, forensic medical examination, and other services is
4 presumed to be the correct response to such a report. The children's advocacy center,
5 department, or appropriate law enforcement agency may interview, without the consent of a
6 person responsible for the child's welfare, the alleged abused or neglected child and any other
7 child who currently resides or who has resided with the person responsible for the child's
8 welfare or the alleged perpetrator. The children's advocacy center, department, or law
9 enforcement agency may conduct the interview at a children's advocacy center location, school,
10 child care facility, or any other place where the alleged abused or neglected child or other child
11 is found.

12 **SECTION 3. AMENDMENT.** Subsection 3 of section 50-25.1-11 of the North Dakota
13 Century Code is amended and reenacted as follows:

14 3. Authorized staff of the department, appropriate county social service boards,
15 children's advocacy centers, and appropriate state and local child protection team
16 members.

17 **SECTION 4. APPROPRIATION.** The funds provided in this section, or so much of the
18 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
19 treasury, not otherwise appropriated, to the attorney general for the purpose of defraying the
20 expenses of North Dakota children's advocacy centers, for the biennium beginning July 1,
21 2005, and ending June 30, 2007, as follows:

22	1. Red River children's advocacy center	
23	Victim services and capacity building/outreach	\$50,000
24	Forensic investigative services	50,000
25	2. Dakota children's advocacy center	
26	Victim services and capacity building/outreach	50,000
27	Forensic investigative services	<u>50,000</u>
28	Total general fund appropriation	\$200,000