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HOUSE BILL NO. 1233

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Public Safety
on _____)

(Patron Prior to Substitute—Delegate Delaney)

A BILL to amend and reenact § 9.1-116.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 17.1-275.15, relating to Virginia Sexual and Domestic Violence Victim Fund; additional fee for certain offenses.

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-116.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 17.1-275.15 as follows:

§ 9.1-116.1. Virginia Sexual and Domestic Violence Victim Fund; purpose; guidelines.

A. There is created the Virginia Sexual and Domestic Violence Victim Fund as a special nonreverting fund to be administered by the Department of Criminal Justice Services to support the prosecution of domestic violence cases, *human and sex trafficking cases, criminal sexual assault cases*, and victim services.

B. The Department shall adopt guidelines, the purpose of which shall be to make funds available to (i) local attorneys for the Commonwealth for the purpose of funding the cost of additional attorneys or to further dedicate existing resources to prosecute felonies and misdemeanors involving domestic violence, sexual violence, sexual abuse, stalking, ~~and~~ family abuse, *and human and sex trafficking*; (ii) law-enforcement authorities or appropriate programs, including civil legal assistance, to assist in protecting and providing necessary services to victims of and children affected by domestic violence, sexual abuse, stalking, ~~and~~ family abuse, *and human and sex trafficking*; (iii) *local child advocacy organizations*; and ~~(iii)~~ (iv) sexual assault service providers and hospitals for the purpose of funding the cost of salaries and equipment for sexual assault forensic examiners, *forensic nurse examiners*, sexual assault nurse examiners, and pediatric sexual assault nurse examiners, with priority for funding such costs given to such forensic examiners and nurse examiners serving rural or underserved areas of the Commonwealth.

C. A portion of the sum collected pursuant to § 16.1-69.48:1 as specified in that section shall be deposited into the state treasury to the credit of this Fund in addition to any other moneys appropriated, allocated or received specifically for such purpose. The Fund shall be distributed according to grant procedures adopted pursuant to this section and shall be established on the books of the Comptroller. Any funds remaining in such Fund at the end of the biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on the Fund shall be credited to the Fund.

D. *The fees collected pursuant to § 17.1-275.15 as specified in that section shall be deposited into the state treasury to the credit of this Fund and shall be designated for funding support services for victims of criminal sexual assault, human trafficking, and sex trafficking.*

E. The Department shall establish a grant procedure to govern funds awarded for this purpose.

§ 17.1-275.15. Additional fee assessed for Virginia Sexual and Domestic Violence Victim Fund.

A. In addition to the fees provided for by §§ 16.1-69.48:1, 16.1-69.48:1.01, 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.5, 17.1-275.7, 17.1-275.8, 17.1-275.9, 17.1-275.10, 17.1-275.11, and 17.1-275.12, a fee of \$1000 upon conviction of any and each charge of a violation of (i) §§ 18.2-47 and 18.2-48; (ii) Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2; or (iii) §§ 18.2-346.01 through 18.2-357.1, 18.2-366, 18.2-370 through 18.2-370.6, 18.2-374.1, 18.2-374.1:1, and 18.2-374.3 shall be assessed as court costs.

B. All fees collected pursuant to this section shall be deposited into the state treasury, credited to the Virginia Sexual and Domestic Violence Victim Fund, and designated for funding support services for victims of criminal sexual assault, human trafficking, and sex trafficking.

HOUSE SUBSTITUTE

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