

1 SB388
2 192907-1
3 By Senator Ward
4 RFD: Judiciary
5 First Read: 13-MAR-18

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8 SYNOPSIS: This bill would create the Sexual Assault
9 Survivors Bill of Rights and provide certain rights
10 to all victims of sexual assault.

11 This bill would require written notification
12 of the rights be provided to sexual assault
13 victims.

14 This bill would require submission and
15 forensic testing of sexual assault kits within a
16 certain time frame.

17 This bill creates a civil cause of action
18 against anyone who violates his or her
19 responsibilities or duties under this act.

20 This bill requires the Attorney General, in
21 cooperation with others, to create a sexual assault
22 kit tracking system, compile data, and submit
23 reports to the Legislature.

24 This bill also creates a Rights of Survivors
25 of Sexual Assault Task Force.

26
27 A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 Relating to sexual assault victims; to provide
5 certain rights to victims of sexual assault; to require
6 written notification of rights be provided to victims; to
7 require submission and forensic testing of sexual assault kits
8 within a certain time frame; to create a civil cause of action
9 against anyone who violates his or her responsibilities or
10 duties under this act; to require the Attorney General, in
11 cooperation with others, to create a sexual assault kit
12 tracking system, compile data, and submit reports to the
13 Legislature; and to create a Rights of Survivors of Sexual
14 Assault Task Force.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. This act shall be known and may be cited
17 as the Sexual Assault Survivors Bill of Rights.

18 Section 2. As used in this act, the following terms
19 shall have the following meanings:

20 (1) COUNSELOR. Any employee or supervised volunteer
21 of a victim counseling center or other agency, business, or
22 organization that provides counseling to victims who is not
23 affiliated with a law enforcement agency or a prosecuting
24 attorney's office and whose duties include treating victims
25 for any emotional or psychological condition resulting from a
26 sexual assault or a person who is employed or authorized by a
27 public entity or a private entity that receives public funding

1 primarily to provide counseling, treatment, or other
2 supportive assistance to crime victims.

3 (2) KIT or SEXUAL ASSAULT EXAMINATION KIT. A sexual
4 assault forensic evidence kit containing a human biological
5 specimen collected from an alleged sexual assault survivor by
6 a medical provider during a medical evidentiary examination.

7 (3) LABORATORY. A Department of Forensic Sciences
8 laboratory as established in Section 36-18-3, Code of Alabama
9 1975.

10 (4) LAW ENFORCEMENT OFFICER. A law enforcement
11 officer employed by the law enforcement agency either
12 responding to the report of the crime of the victim or another
13 person, or having responsibility for investigating the crime.

14 (5) MEDICAL EVIDENTIARY EXAMINATION. A medical
15 evidentiary examination or physical examination to collect
16 sexual assault forensic evidence.

17 (6) MEDICAL PROVIDER. A qualified health care
18 professional, hospital, other emergency medical facility, or
19 other facility conducting a medical evidentiary or physical
20 examination of the survivor.

21 (7) SEXUAL ASSAULT. Any sexual offense enumerated in
22 Sections 13A-6-60 through 13A-6-70, Code of Alabama 1975.

23 (8) SURVIVOR. A person who is a victim of a sexual
24 assault and, if the survivor is incompetent, deceased, or a
25 minor who is unable to consent to counseling services, the
26 parent, guardian, spouse, or any other person related to the

1 survivor, or any other lawful representative of the survivor,
2 unless the person is the alleged perpetrator.

3 Section 3. (a) The rights provided to a survivor in
4 this act attach when a survivor consents to receive a medical
5 evidentiary examination or when a survivor consents to an
6 interview about a sexual assault with a law enforcement
7 officer, prosecuting attorney, or defense attorney.

8 (b) Once attached pursuant to subsection (a), a
9 survivor shall retain all the rights provided pursuant to this
10 act regardless of whether the survivor agrees to continue to
11 participate in the criminal justice system.

12 Section 4. (a) A survivor has the right to consult
13 with a counselor during any medical evidentiary examination or
14 during any interview with a law enforcement officer,
15 prosecuting attorney, or defense attorney. A survivor retains
16 this right even if the survivor has waived the right in a
17 previous examination or interview.

18 (b) Communications between a survivor and a
19 counselor are confidential and privileged, including
20 information disclosed in the presence of any third person
21 conducting a medical evidentiary examination or a law
22 enforcement interview.

23 (c) The presence of a counselor does not negate any
24 existing privilege otherwise guaranteed by law.

25 (d) A survivor's waiver of the right to a counselor
26 is privileged.

1 (e) Notwithstanding any waiver of privilege, a
2 survivor's communications with a sexual assault counselor, or
3 waiver of the right to a sexual assault counselor, is not
4 admissible into evidence for any purpose, except with the
5 consent of the survivor.

6 Section 5. (a) A medical provider may not charge a
7 survivor for the cost of the medical evidentiary examination
8 portion of a medical examination either directly or
9 indirectly.

10 (b) Prior to a medical provider commencing a medical
11 evidentiary examination of a survivor, the survivor shall be
12 informed of the survivor's rights under this act. The survivor
13 shall be entitled to all the following:

14 (1) To receive a survivor notification document
15 developed by the Attorney General which contains survivor's
16 rights under this act and other relevant material.

17 (2) To consult with a counselor, summoned by a
18 medical provider before the commencement of the medical
19 evidentiary examination, unless a counselor is unable to be
20 summoned in a timely manner.

21 (3) To know the ramifications of delaying the
22 medical evidentiary examination if a counselor is unable to be
23 summoned in a timely manner.

24 (4) To shower, at no cost, unless showering
25 facilities are not available after the medical evidentiary
26 examination.

1 (c) A support person may be excluded from a medical
2 evidentiary examination if a law enforcement officer or
3 medical provider determines that the presence of that
4 individual would be detrimental to the purpose of the
5 examination.

6 Section 6. (a) Before commencing an interview with a
7 survivor, a law enforcement officer or prosecuting attorney
8 shall inform the survivor of all the following:

9 (1) The survivor's rights pursuant to this act and
10 other relevant law by providing the survivor with a document
11 to be developed by the Attorney General, which document shall
12 be signed by the victim of sexual assault to confirm receipt.

13 (2) The survivor's right to consult with a counselor
14 during any interview by a law enforcement officer, prosecuting
15 attorney, or defense attorney unless no counselor can be
16 summoned in a timely manner.

17 (3) The survivor's right to have a support person of
18 the survivor's choosing present during any interview by a law
19 enforcement officer, prosecuting attorney, or defense
20 attorney, unless the law enforcement officer, prosecutor, or
21 defense attorney determines in his or her good faith
22 professional judgment that the presence of that individual
23 would be detrimental to the purpose of the interview.

24 (4) For interviews by a law enforcement officer, the
25 survivor's right to be interviewed by a law enforcement
26 official of the gender of the survivor's choosing. If no law
27 enforcement official of that gender is reasonably available,

1 the survivor may be interviewed by an available law
2 enforcement official only upon the survivor's consent.

3 (b) A law enforcement officer, prosecutor, or
4 defense attorney, for any reason, may not discourage a
5 survivor from receiving a medical evidentiary or physical
6 examination.

7 Section 7. A survivor shall have the right to have
8 counsel present during all stages of any medical examination,
9 interview, investigation, or other interaction with
10 representatives from the legal or criminal justice system.
11 Treatment of the survivor should not be affected or altered in
12 any way as a result of the survivor's decision to exercise
13 this right to have counsel present during any interaction with
14 the legal or criminal justice system.

15 Section 8. (a) A survivor has the right to prompt
16 analysis of sexual assault forensic evidence.

17 (b) A medical provider, upon conducting a medical
18 evidentiary examination to collect sexual assault forensic
19 evidence, shall inform the survivor of all of the following:

20 (1) The sexual assault forensic evidence shall be
21 transported to the laboratory within five days and analyzed
22 within 60 days, unless the survivor requests in writing at any
23 time prior to analysis for the crime laboratory to defer
24 analysis of the sexual assault forensic evidence.

25 (2) The crime laboratory shall retain the sexual
26 assault forensic evidence for a minimum of 10 years before it

1 is destroyed, or until the survivor reaches 40 years of age,
2 if the survivor was a minor when the assault occurred.

3 (3) If the survivor has requested deferred analysis,
4 as described in subdivision (1), the survivor can request the
5 crime laboratory to analyze the sexual assault forensic
6 evidence at any later date before the expiration of the
7 retention period defined in subdivision (2).

8 (c) A medical provider, upon conducting a medical
9 evidentiary examination, shall collect sexual assault forensic
10 evidence for placement in a kit. The kit shall be delivered to
11 the law enforcement agency believed to have jurisdiction over
12 the sexual assault within 24 hours of collecting any sexual
13 assault forensic evidence.

14 (d) The law enforcement agency with jurisdiction
15 over the sexual assault shall deliver the kit to the
16 laboratory as soon as possible or within five days of
17 receiving the kit, unless the survivor requests in writing for
18 the laboratory to defer analysis of the evidence. If a law
19 enforcement agency determines that it does not have
20 jurisdiction, it shall notify the law enforcement agency
21 having proper jurisdiction of that fact after taking
22 possession of the kit. The law enforcement agency having
23 proper jurisdiction shall take possession of the kit from the
24 other law enforcement agency and submit the kit to the
25 laboratory as soon as possible or within five days of taking
26 possession of the kit.

1 (e) Any law enforcement agency that submits sexual
2 assault forensic evidence to a crime laboratory, immediately
3 following such submission, shall notify the survivor of the
4 name, address, and telephone number of the crime laboratory.
5 The law enforcement agency shall also notify the survivor of
6 the information listed in subsection (b).

7 (f) A laboratory that receives the kit on or after
8 the five-day submission period shall analyze that evidence and
9 when able, upload any available DNA profiles into the federal
10 combined DNA index system within 60 days, unless the survivor
11 has requested in writing that the laboratory defer analysis of
12 that evidence.

13 (g) The laboratory shall retain the kit for a
14 minimum of 10 years before it is destroyed, or until the
15 survivor reaches 40 years of age, if the survivor was a minor
16 when the sexual assault occurred.

17 (h) The survivor has the right to be informed, upon
18 the survivor's request, of the results of the analysis of the
19 survivor's sexual assault forensic evidence, whether the
20 analysis yielded a DNA profile, and whether the analysis
21 yielded a DNA match, either to the named alleged perpetrator
22 or to a suspect already in the federal combined DNA index
23 system. The survivor has the right to receive this information
24 through a secure and confidential message in writing from the
25 laboratory or law enforcement officer. The message shall
26 include the telephone number of the laboratory or law

1 enforcement agency so that the survivor can call to receive
2 the results.

3 (i) A defendant or person accused or convicted of a
4 crime against the survivor shall have no standing to object to
5 any failure to comply with this act, and the failure to
6 provide a right or notice to the survivor under this act shall
7 not be used by a defendant to seek to have the conviction or
8 sentence reversed or set aside.

9 (j) The failure of a law enforcement agency to take
10 possession of a kit or to submit that evidence for analysis
11 does not alter the authority of a law enforcement agency to
12 take possession of that evidence or to submit that evidence to
13 the laboratory, and does not alter the authority of the
14 laboratory to accept and analyze the evidence or to upload the
15 DNA profile obtained from that evidence into the federal
16 combined DNA index system.

17 (k) The kit shall not be used to prosecute the
18 survivor for any misdemeanor crimes or serve as a basis to
19 search for further evidence of any unrelated misdemeanor
20 crimes.

21 (l) This section does not require a laboratory to
22 test all items of forensic evidence obtained in a kit. A
23 laboratory is considered to be in compliance with this section
24 when representative samples of the evidence are processed by
25 the laboratory in an effort to detect the alleged perpetrator.

26 (m) This section does not require a DNA profile to
27 be uploaded into the federal DNA combined index system if the

1 DNA profile does not meet federal guidelines regarding the
2 uploading of DNA profiles into the federal DNA combined index
3 system.

4 Section 9. (a) The Attorney General shall develop a
5 survivor notification document to be distributed by a law
6 enforcement officer or a medical provider upon initial contact
7 with a survivor. The document shall include, but shall not be
8 limited to:

9 (1) A clear statement that a survivor is not
10 required to participate in the criminal justice system,
11 participate in an interview with a law enforcement officer,
12 prosecuting attorney, or defense attorney, or receive a
13 medical evidentiary examination. However, the rights of a
14 survivor attach when the survivor consents to participate in
15 such an interview or consents to a medical evidentiary
16 examination.

17 (2) Telephone and Internet contact information for
18 nearby rape crisis centers and counselors.

19 (3) The forms of law enforcement protection
20 available to the survivor, including temporary protection
21 orders, and the process to obtain such protection.

22 (4) Instructions for requesting the results of any
23 analysis of the forensic evidence obtained from the survivor.

24 (5) Information about state and federal compensation
25 funds available for medical or other costs associated with the
26 case, and information on any municipal, state, or federal

1 right to restitution for survivors in the event of a criminal
2 proceeding.

3 (b) A law enforcement official, upon written request
4 by a survivor, shall furnish a free, complete, and unaltered
5 copy of all law enforcement reports concerning the sexual
6 assault, regardless of whether the report has been closed by
7 the law enforcement agency, unless the law enforcement officer
8 or prosecutor determines in his or her good faith professional
9 judgment that early release of the reports would be
10 detrimental to the investigation or prosecution.

11 (c) A prosecutor, upon written request by a
12 survivor, shall provide all of the following:

13 (1) Timely notice of any pretrial disposition of the
14 case.

15 (2) Timely notice of the final disposition of the
16 case, including the conviction, sentence, and place and time
17 of incarceration.

18 (3) Information regarding availability of methods to
19 determine the incarceration status and location of the
20 defendant, if any.

21 (4) A convicted defendant's information on a sex
22 offender registry, if any.

23 Section 10. (a) Each person, corporation, agency,
24 officer, or employee who has a responsibility or
25 responsibilities to survivors under this act or other
26 applicable law shall make reasonable efforts to become
27 informed about these responsibilities and to ensure that

1 survivors and witnesses receive the information and services
2 to which they may be entitled under applicable law.

3 (b) If the Attorney General believes from
4 satisfactory evidence that any person, corporation, agency,
5 officer, or employee has failed to make efforts as required in
6 subsection (a), or has violated any of the enumerated rights
7 and provisions contained in this act, the Attorney General may
8 bring an action in the name and on behalf of the people of
9 Alabama to enjoin such acts or practices, including through
10 mandatory injunction, and to obtain restitution for any
11 survivors affected directly or indirectly from any act or
12 omission.

13 (c) If, after investigation, the Attorney General
14 determines that there is reasonable cause to proceed with an
15 action, and before any violation of this section is sought to
16 be enjoined, the Attorney General shall give notice to the
17 person against whom the proceeding is contemplated by
18 certified mail and an opportunity to show in writing within
19 five business days after receipt of notice why proceedings
20 should not be instituted against him or her, unless the
21 Attorney General finds, in any case in which he or she seeks
22 preliminary relief, that to give the notice and opportunity is
23 not in the public interest.

24 (d) In any action under this section, it shall be a
25 complete defense that the act or practice is subject to and
26 complies with the rules and regulations of, and the statutes
27 administered by any official department, division, commission,

1 or agency of the United States as such rules, regulations, or
2 laws are interpreted by the department, division, commission,
3 or agency or the federal courts.

4 (e) In connection with any proposed proceeding
5 under this section, the Attorney General is authorized to take
6 proof and make a determination of the relevant facts and to
7 issue subpoenas in accordance with the Alabama Rules of Civil
8 Procedure.

9 (f) This section applies to all violations of this
10 act, whether or not subject to any other law of this state,
11 and shall not supersede, amend, or repeal any other law of
12 this state under which the Attorney General is authorized to
13 take any action or conduct any inquiry pursuant to this act.

14 (g) In addition to the right of action granted to
15 the Attorney General pursuant to this section, any person who
16 has been injured by reason of any violation of this act or the
17 enumerated rights and provisions contained in this act may
18 bring an action in his or her own name to enjoin, including
19 through mandatory injunction, such unlawful act or practice,
20 an action to recover his or her actual damages or one thousand
21 dollars (\$1,000), whichever is greater, or both actions. The
22 court, in its discretion, may increase the award of damages to
23 an amount not to exceed three times the actual damages up to
24 six thousand dollars (\$6,000), if the court finds the
25 defendant willfully or knowingly violated this section.

26 (h) The court may award reasonable attorney's fees
27 to a prevailing plaintiff.

1 Section 11. The Attorney General, in cooperation
2 with the Alabama State Law Enforcement Agency, the Office of
3 Prosecution Services, the Department of Forensic Sciences, and
4 other law enforcement agencies, by October 1, 2019, shall
5 establish a system for tracking sexual assault kits that
6 permits a victim of sexual assault to track, by telephone or
7 Internet, the location and status of his or her kit. Once
8 established, whoever administers a kit shall furnish the
9 victim of sexual assault with written information about how to
10 use and access the tracking system.

11 Section 12. (a) The Attorney General, in cooperation
12 with the Alabama State Law Enforcement Agency, the Office of
13 Prosecution Services, the Department of Forensic Sciences, and
14 other law enforcement agencies, by January 15, 2020, and every
15 five years thereafter, shall compile data and submit a report
16 to the Legislature and shall publish the report on the
17 Internet site of the Department of Forensic Sciences. The
18 report shall include all of the following:

19 (1) The total number of all sexual assault kits
20 kept, maintained, or stored by all law enforcement agencies
21 and departments which have not been submitted for analysis,
22 including separate sets of data by jurisdiction.

23 (2) The total number of kits which are being tracked
24 in the statewide tracking system, including separate sets of
25 data by jurisdiction.

26 (3) The total number of kits tested, including
27 separate sets of data by jurisdiction.

1 Section 13. (a) There is established a Rights of
2 Survivors of Sexual Assault Task Force whose members shall
3 serve without compensation. The task force shall be staffed
4 and led by the Attorney General. The task force shall consist
5 of the following members:

6 (1) The State Health Officer or his or her designee.

7 (2) A resident and survivor of sexual assault,
8 appointed by the Attorney General.

9 (3) A representative of the Alabama Crime Victim's
10 Compensation Commission.

11 (4) A representative of a sexual assault or rape
12 crisis center, appointed by the Attorney General.

13 (5) The Secretary of the Alabama State Law
14 Enforcement Agency or his or her designee.

15 (6) The Director of the Department of Forensic
16 Sciences or his or her designee.

17 (7) A representative of a four-year public
18 institution of higher education, appointed by the Alabama
19 Commission on Higher Education, whose occupational duties
20 include the provision of direct services to victims of sexual
21 assault.

22 (8) The President of the Alabama Association of
23 Chiefs of Police.

24 (9) The President of the Alabama Sheriffs
25 Association.

26 (10) An attorney, appointed by the Alabama Bar
27 Association.

1 (11) A representative of an organization that
2 provides services, education, or outreach to communities of
3 color or immigrant communities, appointed by the Attorney
4 General.

5 (12) A representative of an organization that
6 provides services, education, or outreach to lesbian, gay,
7 bisexual, and transgender individuals, appointed by the
8 Attorney General.

9 (13) A certified sexual assault nurse examiner,
10 appointed by the Alabama Board of Nursing.

11 (14) Other individuals or representatives selected
12 by the Attorney General, with the total task force not to
13 exceed 15 members.

14 (b) The appointing authorities shall coordinate
15 their appointments to assure the task force membership is
16 inclusive and reflects the racial, gender, geographic, urban,
17 rural, and economic diversity of the state

18 (c) The task force shall study nationally recognized
19 best practices and make recommendations regarding all of the
20 following:

21 (1) The development and implementation of an
22 effective mechanism for submitting, tracking, and
23 investigating complaints regarding the handling of, and
24 responses to, sexual assault-related crimes by any agency or
25 organization involved in the handling or response.

26 (2) Whether a need exists for additional sexual
27 assault counselors for victims of sexual assault, and if such

1 a need does exist, the task force shall do all of the
2 following:

3 a. Develop criteria to certify sexual assault
4 counselors.

5 b. Create a plan for how the state can provide, in
6 conjunction with rape crisis centers and victims' advocate
7 organizations, additional sexual assault counselors to meet
8 the needs identified.

9 c. Determine the cost of funding such a plan.

10 (3) Whether a need exists to expand the right to a
11 sexual assault counselor beyond the medical examination and
12 law enforcement interview settings, and if such a need does
13 exist, the task force shall identify the scope and nature of
14 the need and make recommendations on how best to fill that
15 need, whether legislatively or otherwise.

16 (4) Whether a need exists to provide for ongoing
17 evaluation of the implementation of these rights, and if such
18 a need does exist, the task force shall identify the scope and
19 nature of the need and make recommendations on how best to
20 fill that need, whether legislatively or otherwise.

21 (5) Whether there is an ongoing need to maintain the
22 task force after it issues its final report, pursuant to
23 subsection (g).

24 (d) The task force shall hold its first meeting no
25 later than August 1, 2018, with the date, time, and location
26 of the meeting determined by the Attorney General. At the

1 first meeting, the task force shall elect a chair, vice chair,
2 and other officers as determined by the task force.

3 (e) In fulfilling its requirements under this
4 section, the task force shall collect data regarding sexual
5 assault reporting, arrest, prosecution rates, access to sexual
6 assault victims' services, and any other data important for
7 its deliberations and recommendations. If the data does not
8 exist, the task force shall encourage its creation and
9 maintenance by the Attorney General.

10 (f) In fulfilling its requirements under this
11 section, the task force shall collect feedback from
12 stakeholders, practitioners, and leadership throughout the
13 state and local law enforcement, victims' services, forensic
14 science practitioners, and health care communities to inform
15 development of future best practices or clinical guidelines
16 regarding the care and treatment of survivors.

17 (g) No later than the 15th Legislative day of the
18 2019 Regular Session, the task force shall produce a report
19 that includes the result of the assessments, developments, and
20 recommendations completed pursuant to this section. The task
21 force shall transmit the report to the Legislature, the
22 Governor, and offices or agencies charged with
23 responsibilities under this act and victims' advocates
24 organizations and rape crisis centers.

25 (h) The task force shall be reconvened on an ongoing
26 basis every five years in perpetuity, or until it is
27 determined that all rights contained within this act have been

1 effectively implemented to ensure the rights of all survivors
2 in this state. A determination of effective implementation of
3 the rights contained in this act such that the task force is
4 no longer needed shall only be made by a majority vote of the
5 current members of the task force at the completion of their
6 duties.

7 (i) In undertaking its duties, the task force may
8 retain independent experts who may do any of the following:

9 a. Request files and records from any law
10 enforcement officer, but all information shall be kept
11 strictly confidential and reported on only as aggregated or
12 anonymized data.

13 b. Conduct confidential interviews with officers,
14 medical providers, counselors, and others with direct
15 knowledge of the process of collecting evidence relating to a
16 sexual assault.

17 c. Provide advice and recommendations to the task
18 force within the bounds of confidentiality.

19 Section 14. (a) In either a civil or criminal
20 proceeding relating to the sexual assault, a survivor has the
21 right to be reasonably protected from the alleged perpetrator
22 and persons acting on behalf of the alleged perpetrator.

23 (b) A survivor has the right to be free from
24 intimidation, harassment, and abuse. During the course of any
25 judicial proceeding, the court shall make reasonable efforts
26 to provide the survivor and the survivor's family members,
27 friends, and witnesses with a secure waiting area or room that

1 is separate from the waiting area for the defendant and the
2 defendant's family members, friends, witnesses, and attorneys,
3 and separate from the prosecuting attorney's office.

4 (c) A survivor has the right to be treated with
5 fairness and respect for the survivor's privacy and dignity.
6 During the course of a judicial proceeding, the court, upon
7 the request of the survivor, shall clear the courtroom of all
8 persons when the survivor is testifying regarding the case in
9 any civil or criminal trial, except that parties to the case
10 and their immediate families or guardians, attorneys, and
11 their staff, officers of the court, jurors, members of the
12 media, court reporters, and, at the request of the survivor,
13 witnesses designated by the prosecuting attorney may remain in
14 the courtroom.

15 (d) A survivor may not be required to submit to a
16 polygraph examination as a prerequisite to filing an
17 accusatory pleading, or to participating in any part of the
18 criminal justice system.

19 (e) A survivor has the right to be heard through a
20 victim impact statement pursuant to Article 3, Chapter 23 of
21 Title 15, Code of Alabama 1975, at any proceeding involving a
22 postarrest release decision, plea, sentencing, postconviction
23 release decision, or any other proceeding where a right of the
24 survivor is at issue, and the right to provide a sentencing
25 recommendation to the person conducting a presentence
26 investigation.

1 Section 15. This act is contingent upon an
2 appropriation from the Legislature during the 2018 Regular
3 Session. If an appropriation is not made during the 2018
4 Regular Session, this act is void.

5 Section 16. This act shall become effective on
6 October 1, 2018, following its passage and approval by the
7 Governor, or its otherwise becoming law.