

No. 1982-157

## AN ACT

SB 79

Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," providing for domestic violence and rape crisis programs, imposing additional costs and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Article XII, act of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare Code," is amended by adding sections to read:

ARTICLE XII  
[RESERVED]

**DOMESTIC VIOLENCE AND RAPE VICTIMS SERVICES**

**Section 1201. Legislative Findings and Intent.**—*The General Assembly finds that the public health and safety is threatened by increasing incidences of domestic violence and rape. Domestic violence programs and rape crisis programs provide needed support services for victims and assist in prevention through community education. Therefore the General Assembly finds that it is in the public interest for the Commonwealth to establish a mechanism to provide financial assistance to domestic violence centers and rape crisis centers for the operation of domestic violence and rape crisis programs.*

**Section 1202. Definitions.**—*As used in this article:*

*"Crime" means an act committed in Pennsylvania which, if committed by a mentally competent, criminally responsible adult, who had no legal exemption or defense, would constitute a crime as defined in and proscribed by Title 18 of the Pennsylvania Consolidated Statutes (relating to crimes and offenses) or enumerated in the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act." However, no act involving the operation of a motor vehicle which results in injury shall constitute a crime for the purpose of this article unless such injury was intentionally inflicted through the use of a motor vehicle.*

*"Domestic violence" means the occurrence of one or more of the following acts between family or household members:*

(1) *Intentionally, knowingly, or recklessly causing or attempting to cause bodily injury.*

(2) *Placing by physical menace another in fear of imminent serious bodily injury.*

*"Domestic violence center" means an organization or the coordinating body of an organization which has as its primary purpose the operation of domestic violence programs.*

*“Domestic violence program” means a program which has as its primary purpose the provision of direct services to victims of domestic violence and their children, including, but not limited to victim advocacy, counseling, shelter, information and referral, victim-witness, accompaniment, community education and prevention.*

*“Rape crisis center” means an organization, or the coordinating body of an organization which has as its primary purpose the operation of rape crisis programs.*

*“Rape crisis program” means a program which has as its primary purpose the provision of direct services to victims of sexual assault, including, but not limited to, crisis intervention, counseling, victim advocacy, information and referral, victim-witness and assistance, accompaniment through the medical, police and judicial systems as well as providing education and prevention programs on rape and sexual assaults.*

*“Sexual assault,” for purposes of this act, shall constitute any conduct which is a crime under 18 Pa.C.S. Ch. 31 (relating to sexual offenses).*

**Section 1203. Additional Costs.**—*Where any person after the effective date of this article pleads guilty or nolo contendere to or is convicted of any crime as herein defined, there shall be imposed in addition to all other costs, an additional cost in the sum of ten dollars (\$10) for the purpose of funding the services as described in this article. Such sum shall be paid over to the State Treasurer to be deposited in the General Fund. Under no condition shall a political subdivision be liable for the payment of the ten dollars (\$10) in additional costs.*

**Section 1204. Program Grants Authorized.**—*The department shall make grants to domestic violence centers and rape crisis centers for the operation of domestic violence programs and rape crisis programs consistent with this article. In awarding grants, the department shall consider the population to be served, the geographical area to be serviced, the scope of the services, the need for services, and the amount of funds provided from other sources.*

**Section 1205. Public Review and Accountability.**—*The department shall make available at cost to the public copies of applications that have been submitted or approved for funding and reports on any fiscal or programmatic reviews of funded programs.*

**Section 1206. Termination of Article.**—*The provisions of this article shall expire five years from the effective date of this article unless reenacted by the General Assembly.*

**Section 2.** The sum of \$1,500,000 is hereby appropriated to the Department of Public Welfare for the fiscal year 1982-1983 for the purpose of funding the programs authorized in section 1204. The department shall not expend more than 7% of the appropriated funds for the administration of this act.

Section 3. This act shall take effect immediately.

APPROVED—The 18th day of June, A. D. 1982.

DICK THORNBURGH