

A public hearing will be held by the Office of Attorney General Mike DeWine on Friday, October 25<sup>th</sup>, 2013 at 10:00 a.m. in the B-1 Lobby Hearing Room of the Rhodes State Office Tower, located at 30 East Broad Street, Columbus, Ohio 43215.

The purpose of the hearing is to solicit comment on new rules 109:7-1-03 "Definitions" and 109:7-1-04 "Procedures for programs to request funding from the rape crisis trust fund program." Specifically, these rules provide definitions to be used with the established procedures for rape crisis programs to apply to the attorney general for funding out of the rape crisis program trust fund and procedures for the attorney general to distribute money out of the fund to rape crisis programs and these rules are for programs to request funding, as well as, rules governing the awarding and use of the funds. In addition, these rules are being proposed as required by the Ohio Revised Code Chapter 2743 and chapter 119.

The specific language of the rules are as follows:

109:7-1-03 titled "Definitions." (New)

As used in these rules, unless otherwise stated:

- (A) "Administrative costs" means expenses incurred in managing the rape crisis trust fund. Administrative expenses include, but are not limited to, salaries, benefits, and other expenses incurred in the course of operating the fund.
- (B) "Rape crisis program" means any of the following:
  - (1) The nonprofit state sexual assault coalition designated by the center for injury prevention and control of the federal centers for disease control and prevention;
  - (2) A victim witness assistance program operated by a prosecuting attorney; or
  - (3) A program operated by a government-based or nonprofit entity that provides a full continuum of services to victims of sexual assault, including hotlines, victim advocacy, and support services from the onset of the need for services through the completion of healing, that does not provide medical services, and that may refer victims to physicians for medical care but does not engage in or refer for services for which the use of genetic services funds is prohibited by section 3701.511 of the Revised Code.
- (C) "Rape crisis trust fund" means the fund created in the state treasury, consisting of money paid into the fund pursuant to sections 307.515 and 311.172 of the Revised Code and any money appropriated to the fund by the general assembly or donated to the fund.
- (D) "Sexual assault" means any of the following:
  - (1) A violation of section 2907.02, 2907.03, 2907.04, 2907.05, or former section 2907.12 of the Revised Code;
  - (2) A violation of an existing or former municipal ordinance or law of this or any other state of the United States that is or was substantially equivalent to any section listed in section (D) (1).

109:7-1-04 "Procedures for programs to request funding from the rape crisis trust fund program." (NEW)

- (A) A rape crisis program that wishes to obtain funding from the rape crisis trust fund shall complete the application established by the Attorney General, found on the Attorney General's website at [www.OhioAttorneyGeneral.gov/RCTFapplication](http://www.OhioAttorneyGeneral.gov/RCTFapplication). The Attorney General shall approve or disapprove programs for funding, and approve or disapprove the disbursement of money from the rape crisis trust fund.
- (B) Any applications for funding from the rape crisis trust fund shall be submitted to the Attorney General by the date required in the application and shall comply with all procedures outlined in the grant application.
- (C) To be eligible for funds from the rape crisis trust fund program, an applicant must submit:
  - (1) Proof of rape crisis program status;
  - (2) A statement of purpose regarding use of the funds;
  - (3) A budget;
  - (4) A fully completed application as determined by the Attorney General; and
  - (5) Any other information as required.
- (D) The Attorney General may award funds from the rape crisis trust fund to a rape crisis program that meets the criteria set forth in paragraph (C) of this rule and submits a proposal for one or more of the following purposes:
  - (1) If the program is the nonprofit state sexual assault coalition, to provide training and technical assistance to service providers;
  - (2) If the program is a victim witness assistance program, to provide victims of sexual assault with hotlines, victim advocacy, or support services;
  - (3) If the program is a government-based or nonprofit entity that provides a full continuum of services to victims of sexual assault, to provide those services and education to prevent sexual assault.
- (E) The Attorney General shall use the money in the rape crisis trust fund in the following manner:
  - (1) 5 percent administrative costs shall be assessed against the balance of the fund on an annual basis.
- (F) The organization certifies that it does not provide medical services, or engage in or refer for services, for which the use of genetic service funds is prohibited by section 3701.511 of the Ohio Revised Code: "None of the funds appropriated to administer the programs authorized by sections 3701.501 and 3701.502 of the Revised Code shall be used to counsel or refer for abortion, except in the case of a medical emergency."

All interested parties are invited to attend the hearing and present oral and/or written testimony. Written comments may also be submitted prior to the hearing to the attention of Amber Aimar, Policy and Public Affairs Section, Office of the Ohio Attorney General Mike DeWine, 30 East Broad Street, Columbus, Ohio 43215, or [Amber.Aimar@OhioAttorneyGeneral.gov](mailto:Amber.Aimar@OhioAttorneyGeneral.gov) no later than Thursday, October 24<sup>th</sup>, 2013 by close of business.