

AMENDED IN ASSEMBLY AUGUST 16, 2004

AMENDED IN ASSEMBLY JULY 15, 2004

AMENDED IN ASSEMBLY JUNE 2, 2004

AMENDED IN ASSEMBLY APRIL 12, 2004

AMENDED IN SENATE JANUARY 14, 2004

AMENDED IN SENATE JANUARY 5, 2004

---

---

**SENATE BILL**

**No. 914**

**Introduced by Senators Bowen, Escutia, Kuehl, and Speier**

(Principal coauthor: Assembly Member Jackson)

**(Coauthors: Senators Alpert and Figueroa)**

(Coauthors: Assembly Members Bates and Garcia)

February 21, 2003

---

---

An act to amend Sections 13823.15, 13823.16, and 13837 of the Penal Code, relating to domestic violence, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 914, as amended, Bowen. State Department of Health Services: domestic violence prevention grant program.

The Office of Criminal Justice Planning was abolished in 2003. Existing law requires the Director of Finance to designate an agency or agencies to carry out the functions of the office. The Office of Criminal Justice Planning formerly administered certain grant programs relating to victims of domestic violence and sex offenses.

This bill would state the intent of the Legislature that victims' services programs that were administered by the Office of Criminal

Justice Planning be temporarily redirected to the Office of Emergency Services, and that certain programs involving domestic violence and sexual assault be permanently consolidated in one office, branch, or department. The bill would revise the administration of certain grant programs relating to victims of domestic violence and sex offenses as collaboratively administered by the Office of Emergency Services and specified advisory committees.

These changes would not apply to grants approved by the Office of Emergency Services in the 2004–05 funding cycle.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. It is the intent of the Legislature that victims'  
2 services programs that were administered by the Office of  
3 Criminal Justice Planning be temporarily redirected to the Office  
4 of Emergency Services (OES) with oversight by the Office of  
5 Homeland Security (OHS). It is further the intent of the  
6 Legislature that domestic violence programs within the Domestic  
7 Violence Branch and sexual assault/rape crisis programs within  
8 the Sexual Assault Branch of the Office of Criminal Justice  
9 Planning, and the Battered Women's Shelter Program in the  
10 Department of Health Services (DHS), be permanently  
11 consolidated into one office, branch, or department, within one  
12 state agency.

13 SEC. 2. Section 13823.15 of the Penal Code is amended to  
14 read:

15 13823.15. (a) The Legislature finds the problem of domestic  
16 violence to be of serious and increasing magnitude. The  
17 Legislature also finds that existing domestic violence services are  
18 underfunded and that some areas of the state are unserved or  
19 underserved. Therefore, it is the intent of the Legislature that a  
20 goal or purpose of the Office of Emergency Services (OES) shall  
21 be to ensure that all victims of domestic violence served by the  
22 OES Comprehensive Statewide Domestic Violence Program  
23 receive comprehensive, quality services.



1 (b) There is in the OES a Comprehensive Statewide Domestic  
2 Violence Program. The goals of the program shall be to provide  
3 local assistance to existing service providers, to maintain and  
4 expand services based on a demonstrated need, and to establish a  
5 targeted or directed program for the development and  
6 establishment of domestic violence services in currently unserved  
7 and underserved areas. The OES shall provide financial and  
8 technical assistance to local domestic violence centers in  
9 implementing all of the following services:

- 10 (1) Twenty-four-hour crisis hotlines.
- 11 (2) Counseling.
- 12 (3) Business centers.
- 13 (4) Emergency “safe” homes or shelters for victims and  
14 families.
- 15 (5) Emergency food and clothing.
- 16 (6) Emergency response to calls from law enforcement.
- 17 (7) Hospital emergency room protocol and assistance.
- 18 (8) Emergency transportation.
- 19 (9) Supportive peer counseling.
- 20 (10) Counseling for children.
- 21 (11) Court and social service advocacy.
- 22 (12) Legal assistance with temporary restraining orders,  
23 devices, and custody disputes.
- 24 (13) Community resource and referral.
- 25 (14) Household establishment assistance.

26 Priority for financial and technical assistance shall be given to  
27 emergency shelter programs and “safe” homes for victims of  
28 domestic violence and their children.

29 (c) Except as provided in subdivision (f), the OES and the  
30 advisory committee established pursuant to Section 13823.16  
31 shall collaboratively administer the Comprehensive Statewide  
32 Domestic Violence Program, and shall allocate funds to local  
33 centers meeting the criteria for funding. All organizations funded  
34 pursuant to this section shall utilize volunteers to the greatest  
35 extent possible.

36 The centers may seek, receive, and make use of any funds which  
37 may be available from all public and private sources to augment  
38 any state funds received pursuant to this section.



1 Centers receiving funding shall provide cash or an in-kind  
2 match of at least 10 percent of the funds received pursuant to this  
3 section.

4 (d) The OES shall conduct statewide training workshops on  
5 domestic violence for local centers, law enforcement, and other  
6 service providers designed to enhance service programs. The  
7 workshops shall be planned in conjunction with practitioners and  
8 experts in the field of domestic violence prevention.

9 (e) The OES shall develop and disseminate throughout the state  
10 information and materials concerning domestic violence. The  
11 OES shall also establish a resource center for the collection,  
12 retention, and distribution of educational materials related to  
13 domestic violence. The OES may utilize and contract with existing  
14 domestic violence technical assistance centers in this state in  
15 complying with the requirements of this subdivision.

16 (f) The funding process for distributing grant awards to  
17 domestic violence shelter service providers (DVSSPs) shall be  
18 administered by the OES as follows:

19 (1) The OES shall establish each of the following:

20 (A) The process and standards for determining whether to  
21 grant, renew, or deny funding to any DVSSP applying or  
22 reapplying for funding under the terms of the program.

23 (B) For DVSSPs applying for grants under the RFP process  
24 described in paragraph (2), a system for grading grant applications  
25 in relation to the standards established pursuant to subparagraph  
26 (A), and an appeal process for applications that are denied. A  
27 description of this grading system and appeal process shall be  
28 provided to all DVSSPs as part of the application required under  
29 the RFP process.

30 (C) For DVSSPs reapplying for funding under the RFA process  
31 described in paragraph (4), a system for grading the performance  
32 of DVSSPs in relation to the standards established pursuant to  
33 subparagraph (A), and an appeal process for decisions to deny or  
34 reduce funding. A description of this grading system and appeal  
35 process shall be provided to all DVSSPs receiving grants under  
36 this program.

37 (2) Grants for shelters that were not funded in the previous  
38 cycle shall be awarded as a result of a competitive request for  
39 proposal (RFP) process. The RFP process shall comply with all  
40 applicable state and federal statutes for domestic violence shelter



1 funding, and to the extent possible, the response to the RFP shall  
2 not exceed 25 narrative pages, excluding attachments.

3 (3) Grants shall be awarded to DVSSPs that propose to  
4 maintain shelters or services previously granted funding pursuant  
5 to this section, to expand existing services or create new services,  
6 or to establish new domestic violence shelters in underserved or  
7 unserved areas. Each grant shall be awarded for a three-year term.

8 (4) DVSSPs reapplying for grants shall not be subject to a  
9 competitive grant process, but shall be subject to a request for  
10 application (RFA) process. The RFA process shall consist in part  
11 of an assessment of the past performance history of the DVSSP in  
12 relation to the standards established pursuant to paragraph (1). The  
13 RFA process shall comply with all applicable state and federal  
14 statutes for domestic violence center funding, and to the extent  
15 possible, the response to the RFA shall not exceed 10 narrative  
16 pages, excluding attachments.

17 (5) Any DVSSP funded through this program in the previous  
18 grant cycle, including any DVSSP funded by Chapter 707 of the  
19 Statutes of 2001, shall be funded upon reapplication, unless,  
20 pursuant to the assessment required under the RFA process, its past  
21 performance history fails to meet the standards established by the  
22 OES pursuant to paragraph (1).

23 (6) The OES shall conduct a minimum of one site visit every  
24 three years for each DVSSP funded pursuant to this subdivision.  
25 The purpose of the site visit shall be to conduct a performance  
26 assessment of, and provide subsequent technical assistance for,  
27 each shelter visited. The performance assessment shall include,  
28 but need not be limited to, a review of all of the following:

- 29 (A) Progress in meeting program goals and objectives.
- 30 (B) Agency organization and facilities.
- 31 (C) Personnel policies, files, and training.
- 32 (D) Recordkeeping, budgeting, and expenditures.
- 33 (E) Documentation, data collection, and client confidentiality.

34 (7) After each site visit conducted pursuant to paragraph (6),  
35 the OES shall provide a written report to the DVSSP summarizing  
36 the performance of the DVSSP, any deficiencies noted, any  
37 corrective action needed, and a deadline for corrective action to be  
38 completed. The OES shall also develop a corrective action plan for  
39 verifying the completion of any corrective action required. The  
40 OES shall submit its written report to the DVSSP no more than 60



1 days after the site visit . No grant under the RFA process shall be  
2 denied if the DVSSP has not received a site visit during the  
3 previous three years, unless the OES is aware of criminal  
4 violations relative to the administration of grant funding.

5 (8) DVSSPs receiving written reports of deficiencies or orders  
6 for corrective action after a site visit shall be given no less than six  
7 months' time to take corrective action before the deficiencies or  
8 failure to correct may be considered in the next RFA process.  
9 *However, the OES shall have the discretion to reduce the time to*  
10 *take corrective action in cases where the deficiencies present a*  
11 *significant health or safety risk or when other severe*  
12 *circumstances are found to exist.* If corrective action is deemed  
13 necessary, and a DVSSP fails to comply, or if other deficiencies  
14 exist that, in the judgment of the OES, cannot be corrected, the  
15 OES shall determine, using its grading system, whether continued  
16 funding for the DVSSP should be reduced or denied altogether. If  
17 a DVSSP has been determined to be deficient, the OES may, at any  
18 point during the DVSSP's funding cycle following the expiration  
19 of the period for corrective action, deny or reduce any further  
20 funding.

21 (9) If a DVSSP applies or reapplies for funding pursuant to this  
22 section and that funding is denied or reduced, the decision to deny  
23 or reduce funding shall be provided in writing to the DVSSP, along  
24 with a written explanation of the reasons for the reduction or denial  
25 made in accordance with the grading system for the RFP or RFA  
26 process. Except as otherwise provided, any appeal of the decision  
27 to deny or reduce funding shall be made in accordance with the  
28 appeal process established by the OES. The appeal process shall  
29 allow a DVSSP a minimum of 30 days to appeal after a decision  
30 to deny or reduce funding. All pending appeals shall be resolved  
31 before final funding decisions are reached.

32 (10) It is the intent of the Legislature that priority for additional  
33 funds that become available shall be given to currently funded,  
34 new, or previously unfunded DVSSPs for expansion of services.  
35 However, the OES may determine when expansion is needed to  
36 accommodate underserved or unserved areas. If supplemental  
37 funding is unavailable, the OES shall have the authority to lower  
38 the base level of grants to all currently funded DVSSPs in order to  
39 provide funding for currently funded, new, or previously unfunded  
40 DVSSPs that will provide services in underserved or unserved



1 areas. However, to the extent reasonable, funding reductions shall  
2 be reduced proportionately among all currently funded DVSSPs.  
3 After the amount of funding reductions has been determined,  
4 DVSSPs that are currently funded and those applying for funding  
5 shall be notified of changes in the available level of funding prior  
6 to the next application process. Funding reductions made under  
7 this paragraph shall not be subject to appeal.

8 (11) Notwithstanding any other provision of this section, OES  
9 may reduce funding to a DVSSP funded pursuant to this section  
10 if federal funding support is reduced. Funding reductions as a  
11 result of a reduction in federal funding shall not be subject to  
12 appeal.

13 (12) Nothing in this section shall be construed to supersede any  
14 function or duty required by federal acts, rules, regulations, or  
15 guidelines for the distribution of federal grants.

16 (13) As a condition of receiving funding pursuant to this  
17 section, DVSSPs shall do all of the following:

18 (A) Provide matching funds or in-kind contributions  
19 equivalent to not less than 10 percent of the grant they would  
20 receive. The matching funds or in-kind contributions may come  
21 from other governmental or private sources.

22 (B) Ensure that appropriate staff and volunteers having client  
23 contact meet the definition of “domestic violence counselor” as  
24 specified in subdivision (a) of Section 1037.1 of the Evidence  
25 Code. The minimum training specified in paragraph (2) of  
26 subdivision (a) of Section 1037.1 of the Evidence Code shall be  
27 provided to those staff and volunteers who do not meet the  
28 requirements of paragraph (1) of subdivision (a) of Section 1037.1  
29 of the Evidence Code.

30 (14) The following definitions shall apply for purposes of this  
31 subdivision:

32 (A) “Domestic violence” means the infliction or threat of  
33 physical harm against past or present adult or adolescent female  
34 intimate partners, including physical, sexual, and psychological  
35 abuse against the woman, and is a part of a pattern of assaultive,  
36 coercive, and controlling behaviors directed at achieving  
37 compliance from or control over that woman.

38 (B) “Domestic violence shelter service provider” or  
39 “DVSSP” means a victim services provider that operates an  
40 established system of services providing safe and confidential



1 emergency housing on a 24-hour basis for victims of domestic  
2 violence and their children, including, but not limited to, hotel or  
3 motel arrangements, haven, and safe houses.

4 (C) “Emergency shelter” means a confidential or safe location  
5 that provides emergency housing on a 24-hour basis for victims of  
6 domestic violence and their children.

7 (g) The OES may hire the support staff and utilize all resources  
8 necessary to carry out the purposes of this section. The OES shall  
9 not utilize more than 10 percent of any funds appropriated for the  
10 purpose of the program established by this section for the  
11 administration of that program.

12 SEC. 3. Section 13823.16 of the Penal Code is amended to  
13 read:

14 13823.16. (a) The Comprehensive Statewide Domestic  
15 Violence Program established pursuant to Section 13823.15 shall  
16 be collaboratively administered by the Office of Emergency  
17 Services (OES) and an advisory council. The membership of the  
18 OES Domestic Violence Advisory Council shall consist of experts  
19 in the provision of either direct or intervention services to battered  
20 women and their children, within the scope and intention of the  
21 OES Domestic Violence Assistance Program.

22 (b) The membership of the council shall consist of domestic  
23 violence victims’ advocates, battered women service providers,  
24 and representatives of women’s organizations, law enforcement,  
25 and other groups involved with domestic violence. At least  
26 one-half of the council membership shall consist of domestic  
27 violence victims’ advocates or battered women service providers  
28 from organizations such as the California Alliance Against  
29 Domestic Violence. It is the intent of the Legislature that the  
30 council membership reflect the ethnic, racial, cultural, and  
31 geographic diversity of the state. The council shall be composed  
32 of no more than 13 voting members and two nonvoting members  
33 who shall be appointed, as follows:

34 (1) Seven voting members shall be appointed by the Governor.

35 (2) Three voting members shall be appointed by the Speaker of  
36 the Assembly.

37 (3) Three voting members shall be appointed by the Senate  
38 Committee on Rules.

39 (4) Two nonvoting members shall be Members of the  
40 Legislature, one appointed by the Speaker of the Assembly and



1 one appointed by the Senate Committee on Rules. Any Member  
2 of the Legislature appointed to the council shall meet with the  
3 council and participate in its activities to the extent that  
4 participation is not incompatible with his or her position as a  
5 Member of the Legislature.

6 (c) The OES shall collaborate closely with the council in  
7 developing funding priorities, framing the request for proposals,  
8 and soliciting proposals.

9 (d) This section shall remain in effect only until January 1,  
10 2010, and as of that date is repealed, unless a later enacted statute,  
11 that is enacted before January 1, 2010, deletes or extends that date.

12 SEC. 4. Section 13837 of the Penal Code is amended to read:

13 13837. (a) The OES shall provide grants to proposed and  
14 existing child sexual exploitation and child sexual abuse victim  
15 counseling centers and prevention programs. Grant recipients  
16 shall provide appropriate in-person counseling and referral  
17 services during normal business hours, and maintain other  
18 standards or services which shall be determined to be appropriate  
19 by the advisory committee established pursuant to Section 13836  
20 as grant conditions. The advisory committee shall identify the  
21 criteria to be utilized in awarding the grants provided by this  
22 chapter before any funds are allocated.

23 In order to be eligible for funding pursuant to this chapter, the  
24 centers shall demonstrate an ability to receive and make use of any  
25 funds available from governmental, voluntary, philanthropic, or  
26 other sources which may be used to augment any state funds  
27 appropriated for purposes of this chapter. Each center receiving  
28 funds pursuant to this chapter shall make every attempt to qualify  
29 for any available federal funding.

30 State funds provided to establish centers shall be utilized when  
31 possible, as determined by the advisory committee, to expand the  
32 program and shall not be expended to reduce fiscal support from  
33 other public or private sources. The centers shall maintain  
34 quarterly and final fiscal reports in a form to be prescribed by the  
35 administering agency. In granting funds, the advisory committee  
36 shall give priority to centers which are operated in close proximity  
37 to medical treatment facilities.

38 (b) (1) It is the intent of the Legislature that a goal or purpose  
39 of the OES shall be to ensure that all victims of sexual assault and  
40 rape receive comprehensive, quality services, and to decrease the



1 incidence of sexual assault through school and community  
2 education and prevention programs.

3 (2) The OES and the advisory committee established pursuant  
4 to Section 13836 shall collaboratively administer sexual  
5 assault/rape crisis center victim services programs and provide  
6 grants to proposed and existing sexual assault services programs  
7 (SASPs) operating local rape victim centers and prevention  
8 programs. All SASPs shall provide the services in subparagraphs  
9 (A) to (G), inclusive, and to the extent federal funding is made  
10 available, shall also provide the service described in subparagraph  
11 (H). The OES shall provide financial and technical assistance to  
12 SASPs in implementing the following services:

- 13 (A) Crisis intervention, 24 hours per day, seven days per week.
- 14 (B) Followup counseling services.
- 15 (C) In-person counseling, including group counseling.
- 16 (D) Accompaniment services.
- 17 (E) Advocacy services.
- 18 (F) Information and referrals to victims and the general public.
- 19 (G) Community education presentations.
- 20 (H) Rape prevention presentations and self-defense programs.

21 (3) The funding process for distributing grant awards to ~~VSPs~~  
22 SASPs shall be administered as follows:

23 (A) The OES and the advisory committee established pursuant  
24 to Section 13836 shall collaboratively adopt each of the following:

25 (i) The process and standards for determining whether to grant,  
26 renew, or deny funding to any SASP applying or reapplying for  
27 funding under the terms of the program.

28 (ii) For SASPs applying for grants under the RFP process  
29 described in subparagraph (B), a system for grading grant  
30 applications in relation to the standards established pursuant to  
31 clause (i), and an appeal process for applications that are denied.  
32 A description of this grading system and appeal process shall be  
33 provided to all SASPs as part of the application required under the  
34 RFP process.

35 (iii) For SASPs reapplying for funding under the RFA process  
36 described in subparagraph (D), a system for grading the  
37 performance of SASPs in relation to the standards established  
38 pursuant to clause (i), and an appeal process for decisions to deny  
39 or reduce funding. A description of this grading system and appeal



1 process shall be provided to all SASPs receiving grants under this  
2 program.

3 (B) Grants for centers that have previously not been funded or  
4 were not funded in the previous cycle shall be awarded as a result  
5 of a competitive request for proposal (RFP) process. The RFP  
6 process shall comply with all applicable state and federal statutes  
7 for sexual assault/rape crisis center funding, and to the extent  
8 possible, the response to the RFP shall not exceed 25 narrative  
9 pages, excluding attachments.

10 (C) Grants shall be awarded to SASPs that propose to maintain  
11 services previously granted funding pursuant to this section, to  
12 expand existing services or create new services, or to establish new  
13 sexual assault/rape crisis centers in underserved or unserved areas.  
14 Each grant shall be awarded for a three-year term.

15 (D) SASPs reapplying for grants shall not be subject to a  
16 competitive bidding grant process, but shall be subject to a request  
17 for application (RFA) process. The RFA process for a ~~VSP~~ SASP  
18 reapplying for grant funds shall consist in part of an assessment of  
19 the past performance history of the SASP in relation to the  
20 standards established pursuant to subparagraph (A). The RFA  
21 process shall comply with all applicable state and federal statutes  
22 for sexual assault/rape crisis center funding, and to the extent  
23 possible, the response to the RFA shall not exceed 10 narrative  
24 pages, excluding attachments.

25 (E) Any SASP funded through this program in the previous  
26 grant cycle shall be funded upon reapplication, unless its past  
27 performance history fails to meet the standards established  
28 pursuant to clause (i) of subparagraph (A).

29 (F) The OES shall conduct a minimum of one site visit every  
30 three years for each agency funded to provide sexual assault/rape  
31 crisis centers. The purpose of the site visit shall be to conduct a  
32 performance assessment of, and provide subsequent technical  
33 assistance for, each center visited. The performance assessment  
34 shall include, but need not be limited to, a review of all of the  
35 following:

- 36 (i) Progress in meeting program goals and objectives.
- 37 (ii) Agency organization and facilities.
- 38 (iii) Personnel policies, files, and training.
- 39 (iv) Recordkeeping, budgeting, and expenditures.
- 40 (v) Documentation, data collection, and client confidentiality.



1 (G) After each site visit conducted pursuant to subparagraph  
2 (F), the OES shall provide a written report to the SASP  
3 summarizing the performance of the SASP, any deficiencies  
4 noted, any corrective action needed, and a deadline for corrective  
5 action to be completed. The OES shall also develop a corrective  
6 action plan for verifying the completion of any corrective action  
7 required. The OES shall submit its written report to the SASP no  
8 more than 60 days after the site visit. No grant under the RFA  
9 process shall be denied if the SASP did not receive a site visit  
10 during the previous three years, unless the OES is aware of  
11 criminal violations relative to the administration of grant funding.

12 (H) SASPs receiving written reports of deficiencies or orders  
13 for corrective action after a site visit shall be given no less than six  
14 months' time to take corrective action before the deficiencies or  
15 failure to correct may be considered in the next RFA process.  
16 *However, the OES shall have the discretion to reduce the time to*  
17 *take corrective action in cases where the deficiencies present a*  
18 *significant health or safety risk or when other severe*  
19 *circumstances are found to exist.* If corrective action is deemed  
20 necessary, and a SASP fails to comply, or if other deficiencies exist  
21 that, in the judgment of the OES, cannot be corrected, the OES  
22 shall determine, using its grading system, whether continued  
23 funding for the SASP should be reduced or denied altogether. If  
24 a SASP has been determined to be deficient, the OES may, at any  
25 point during the SASP's funding cycle following the expiration of  
26 the period for corrective action, deny or reduce any further  
27 funding.

28 (I) If a SASP applies or reapplies for funding pursuant to this  
29 section and that funding is denied or reduced, the decision to deny  
30 or reduce funding shall be provided in writing to the SASP, along  
31 with a written explanation of the reasons for the reduction or denial  
32 made in accordance with the grading system for the RFP or RFA  
33 process. Except as otherwise provided, any appeal of the decision  
34 to deny or reduce funding shall be made in accordance with the  
35 appeal process established by the OES. The appeal process shall  
36 allow a SASP a minimum of 30 days to appeal after a decision to  
37 deny or reduce funding. All pending appeals shall be resolved  
38 before final funding decisions are reached.

39 (J) It is the intent of the Legislature that priority for additional  
40 funds that become available shall be given to currently funded,



1 new, or previously unfunded SASPs for expansion of services.  
2 However, the OES may determine when expansion is needed to  
3 accommodate underserved or unserved areas. If supplemental  
4 funding is unavailable, the OES shall have the authority to lower  
5 the base level of grants to all currently funded SASPs in order to  
6 provide funding for currently funded, new, or previously unfunded  
7 SASPs that will provide services in underserved or unserved areas.  
8 However, to the extent reasonable, funding reductions shall be  
9 reduced proportionately among all currently funded SASPs. After  
10 the amount of funding reductions has been determined, SASPs that  
11 are currently funded and those applying for funding shall be  
12 notified of changes in the available level of funding prior to the  
13 next application process. Funding reductions made under this  
14 paragraph shall not be subject to appeal.

15 (K) Notwithstanding any other provision of this section, the  
16 OES may reduce funding to a SASP funded pursuant to this section  
17 if federal funding support is reduced. Funding reductions as a  
18 result of a reduction in federal funding shall not be subject to  
19 appeal.

20 (L) Nothing in this section shall be construed to supersede any  
21 function or duty required by federal acts, rules, regulations, or  
22 guidelines for the distribution of federal grants.

23 (M) As a condition of receiving funding pursuant to this  
24 section, a SASP shall do each of the following:

25 (i) Demonstrate an ability to receive and make use of any funds  
26 available from governmental, voluntary, philanthropic, or other  
27 sources that may be used to augment any state funds appropriated  
28 for purposes of this chapter.

29 (ii) Make every attempt to qualify for any available federal  
30 funding.

31 (N) For the purposes of this paragraph, “sexual assault” means  
32 an act or attempt made punishable by Section 220, 261, 261.5, 262,  
33 264.1, 266c, 285, 286, 288, 288a, or 647.6.

34 (O) For the purposes of this paragraph, “sexual assault service  
35 program” or “SASP” means an agency operating a sexual  
36 assault/rape crisis center.

37 SEC. 5. The changes made to existing law in Sections 2 to 4,  
38 inclusive, of this act shall not apply to grants approved by the  
39 Office of Emergency Services in the 2004–05 funding cycle.



1 SEC. 6. This act is an urgency statute necessary for the  
2 immediate preservation of the public peace, health, or safety  
3 within the meaning of Article IV of the Constitution and shall go  
4 into immediate effect. The facts constituting the necessity are:

5 In order to ensure the efficient and orderly administration of  
6 grant programs to assist victims of domestic violence and sex  
7 offenses, it is necessary that this act take effect immediately.

O

