

Subsec. (d)(3). Pub. L. 107-273, §402(1)(B), made technical amendment to reference in original act which appears in text as reference to section 3796gg-5 of this title.

2000—Subsec. (a). Pub. L. 106-386, §1102(a)(2)(A), inserted “State and local courts (including juvenile courts),” after “for use by States.”

Subsec. (b)(1). Pub. L. 106-386, §1103(b)(2)(B), substituted “5 percent” for “4 percent”.

Subsec. (b)(2) to (4). Pub. L. 106-386, §1103(b)(2)(D), added pars. (2) to (4). Former pars. (2) and (3) redesignated (5) and (6), respectively.

Subsec. (b)(5). Pub. L. 106-386, §1103(b)(2)(A), (C), redesignated par. (2) as (5) and substituted “\$600,000” for “\$500,000”.

Subsec. (b)(6). Pub. L. 106-386, §1103(b)(2)(A), redesignated par. (3) as (6).

Subsec. (c)(3). Pub. L. 106-386, §1102(a)(2)(B), added par. (3) and struck out former par. (3) which read as follows: “at least 25 percent of the amount granted shall be allocated, without duplication, to each of the following 3 areas: prosecution, law enforcement, and victim services; and”.

Subsec. (d)(1). Pub. L. 106-386, §1102(a)(2)(C), inserted “court,” after “law enforcement,” in introductory provisions.

#### EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-4 not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113-4, set out as a note under section 2261 of Title 18, Crimes and Criminal Procedure.

#### EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by sections 101(c)-(e) and 906(b) of Pub. L. 109-162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as a note under section 3793 of this title.

#### EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-405, title III, §310(b), Oct. 30, 2004, 118 Stat. 2276, provided that amendment by section 310(b) (amending this section and sections 3796gg-2 to 3796gg-5 of this title) is effective as of Nov. 2, 2002, and as if included in Pub. L. 107-273, as enacted.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-273 effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as an Effective Date note under section 3796gg-0 of this title.

### § 3796gg-2. Definitions and grant conditions

In this subchapter the definitions and grant conditions in section 13925 of this title shall apply.

(Pub. L. 90-351, title I, §2008, as added Pub. L. 109-162, §3(c)(1), Jan. 5, 2006, 119 Stat. 2971.)

#### CODIFICATION

Another section 2008 of Pub. L. 90-351 was renumbered section 2016 and is classified to section 3796gg-11 of this title.

#### PRIOR PROVISIONS

A prior section 3796gg-2, Pub. L. 90-351, title I, §2008, formerly §2003, as added Pub. L. 103-322, title IV, §40121(a)(3), Sept. 13, 1994, 108 Stat. 1913; amended Pub. L. 106-386, div. B, title I, §1103(b)(3), 1109(a)(1), Oct. 28, 2000, 114 Stat. 1496, 1502; renumbered §2008, Pub. L. 107-273, div. A, title IV, §402(2), Nov. 2, 2002, 116 Stat. 1789; Pub. L. 108-405, title III, §310(b), Oct. 30, 2004, 118 Stat. 2276, related to definitions of terms in this subchapter, prior to repeal by Pub. L. 109-162, §3(c)(1), Jan. 5, 2006, 119 Stat. 2971.

#### DEFINITIONS AND GRANT CONDITIONS APPLICABLE TO DIVISION B OF PUB. L. 106-386

Pub. L. 106-386, div. B, §1002, Oct. 28, 2000, 114 Stat. 1491, as amended by Pub. L. 109-162, §3(d), Jan. 5, 2006,

119 Stat. 2972, provided that: “In this division [see section 1001 of Pub. L. 106-386, set out as a Short Title of 2000 Amendments note under section 13701 of this title] the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 [42 U.S.C. 13925] shall apply.”

### § 3796gg-3. General terms and conditions

#### (a) Nonmonetary assistance

In addition to the assistance provided under this subchapter, the Attorney General may request any Federal agency to use its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State, tribal, and local assistance efforts.

#### (b) Reporting

Not later than 1 month after the end of each even-numbered fiscal year, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that includes, for each State and for each grantee Indian tribe—

(1) the number of grants made and funds distributed under this subchapter;

(2) a summary of the purposes for which those grants were provided and an evaluation of their progress;

(3) a statistical summary of persons served, detailing the nature of victimization, and providing data on age, sex, relationship of victim to offender, geographic distribution, race, ethnicity, language, and disability, and the membership of persons served in any underserved population; and

(4) an evaluation of the effectiveness of programs funded under this subchapter.

#### (c) Regulations or guidelines

Not later than 120 days after September 13, 1994, the Attorney General shall publish proposed regulations or guidelines implementing this subchapter. Not later than 180 days after September 13, 1994, the Attorney General shall publish final regulations or guidelines implementing this subchapter.

(Pub. L. 90-351, title I, §2009, formerly §2004, as added Pub. L. 103-322, title IV, §40121(a)(3), Sept. 13, 1994, 108 Stat. 1914; amended Pub. L. 106-386, div. B, title I, §1103(b)(4), Oct. 28, 2000, 114 Stat. 1497; renumbered §2009, Pub. L. 107-273, div. A, title IV, §402(2), Nov. 2, 2002, 116 Stat. 1789; Pub. L. 108-405, title III, §310(b), Oct. 30, 2004, 118 Stat. 2276; Pub. L. 109-162, §3(b)(3), title XI, §§1134(b), 1135(c), Jan. 5, 2006, 119 Stat. 2971, 3108, 3109; Pub. L. 109-271, §§2(d), 8(b), Aug. 12, 2006, 120 Stat. 752, 766.)

#### AMENDMENTS

2006—Subsec. (b). Pub. L. 109-162, §§1134(b) and 1135(c), which directed an amendment substantially identical to that made by Pub. L. 109-162, §3(b)(3), were repealed by Pub. L. 109-271, §§2(d) and 8(b).

Pub. L. 109-162, §3(b)(3), substituted “Not later than 1 month after the end of each even-numbered fiscal year, the Attorney General shall submit” for “Not later than 180 days after the end of each fiscal year for which grants are made under this subchapter, the Attorney General shall submit” in introductory provisions.

2000—Subsec. (b)(3). Pub. L. 106-386 inserted “, and the membership of persons served in any underserved population” before the semicolon.

#### § 3796gg-4. Rape exam payments

##### (a) Restriction of funds

###### (1) In general

A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter<sup>1</sup> unless the State, Indian tribal government, unit of local government, or another governmental entity—

(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.

###### (2) Redistribution

Funds withheld from a State or unit of local government under paragraph (1) shall be distributed to other States or units of local government pro rata. Funds withheld from an Indian tribal government under paragraph (1) shall be distributed to other Indian tribal governments pro rata.

##### (b) Medical costs

A State, Indian tribal government, or unit of local government shall be deemed to incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault if any government entity—

(1) provides such exams to victims free of charge to the victim; or

(2) arranges for victims to obtain such exams free of charge to the victims.

##### (c) Use of funds

A State or Indian tribal government may use Federal grant funds under this subchapter to pay for forensic medical exams performed by trained examiners for victims of sexual assault, except that such funds may not be used to pay for forensic medical exams by any State, Indian tribal government, or territorial government that requires victims of sexual assault to seek reimbursement for such exams from their insurance carriers.

##### (d) Noncooperation

###### (1) In general

To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

###### (2) Compliance period

States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act<sup>1</sup> to come into compliance with this section.

##### (e) Judicial notification

###### (1) In general

A State or unit of local government shall not be entitled to funds under this subchapter unless the State or unit of local government—

(A) certifies that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18 and any applicable related Federal, State, or local laws; or

(B) gives the Attorney General assurances that its judicial administrative policies and practices will be in compliance with the requirements of subparagraph (A) within the later of—

(i) the period ending on the date on which the next session of the State legislature ends; or

(ii) 2 years.

###### (2) Redistribution

Funds withheld from a State or unit of local government under subsection (a) of this section shall be distributed to other States and units of local government, pro rata.

(Pub. L. 90-351, title I, §2010, formerly §2005, as added Pub. L. 103-322, title IV, §40121(a)(3), Sept. 13, 1994, 108 Stat. 1914; renumbered §2010, Pub. L. 107-273, div. A, title IV, §402(2), Nov. 2, 2002, 116 Stat. 1789; amended Pub. L. 108-405, title III, §310(b), Oct. 30, 2004, 118 Stat. 2276; Pub. L. 109-162, title I, §101(f), Jan. 5, 2006, 119 Stat. 2974; Pub. L. 109-271, §2(j), Aug. 12, 2006, 120 Stat. 753; Pub. L. 113-4, title I, §101(4), Mar. 7, 2013, 127 Stat. 69.)

#### REFERENCES IN TEXT

This subchapter, referred to in subsec. (a)(1), was in the original “this subchapter”, and was translated as reading “this part”, meaning part T of title I of Pub. L. 90-351, to reflect the probable intent of Congress.

The date of enactment of this Act, referred to in subsec. (d)(2), probably means the date of enactment of Pub. L. 113-4, which was approved Mar. 7, 2013.

#### AMENDMENTS

2013—Subsec. (a)(1). Pub. L. 113-4, §101(4)(A), added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: “A State, Indian tribal government, or unit of local government, shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) of this section for victims of sexual assault.”

Subsec. (b). Pub. L. 113-4, §101(4)(B), inserted “or” after the semicolon in par. (1), substituted a period for “; or” in par. (2), and struck out par. (3) which related to reimbursement of victims for the cost of exams under certain conditions.

Subsec. (d). Pub. L. 113-4, §101(4)(C), amended subsec. (d) generally. Prior to amendment, subsec. (d) related to a rule of construction and a compliance period.

2006—Subsec. (c). Pub. L. 109-162 added subsec. (c).

Subsec. (d). Pub. L. 109-271 designated existing provisions as par. (1), inserted par. heading, struck out “Nothing” before “in this section”, and added par. (2).

Pub. L. 109-162 added subsec. (d).

Subsec. (e). Pub. L. 109-162 added subsec. (e).

#### EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-4 not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113-4, set out as a note under section 2261 of Title 18, Crimes and Criminal Procedure.

#### EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as a note under section 3793 of this title.

<sup>1</sup> So in original. See References in Text note below.