

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 1104

Short Title: Vet's Posttraumatic Stress/Mitigating Factor. (Public)

Sponsors: Representatives G. Martin, Zachary, Reives, and W. Richardson (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary I, if favorable, Appropriations

May 11, 2016

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A COURT MAY CONSIDER POSTTRAUMATIC STRESS DISORDER AS A MITIGATING FACTOR WHEN SENTENCING A PERSON WHO IS A VETERAN AND TO APPROPRIATE FUNDS TO HELP SUPPORT THE STATE'S VETERANS TREATMENT COURT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-1340.16(e) is amended by adding a new subdivision to read:

"(14a) The defendant has been diagnosed as suffering from posttraumatic stress disorder resulting from his or her military service and is undergoing professional treatment for that condition. As used in this section, "posttraumatic stress disorder" means the same as such term is defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5, 2013), and occurred as a result of events during the service of the defendant in one or more combat zones. The defendant shall provide to the court documentary evidence that the defendant has done all of the following:

- a. Served in the Armed Forces of the United States of America in a combat zone, as defined in Section 112 of the Federal Internal Revenue Code of 1986. Proof of such service shall consist of a certification by the Director of the Department of Veterans Affairs,
- b. Been diagnosed with a posttraumatic stress disorder connected to his or her service in the Armed Forces of the United States of America."

SECTION 2. There is appropriated from the General Fund to the North Carolina Military Affairs Commission the sum of twenty-five thousand dollars (\$25,000) for the 2016-2017 fiscal year to help support the State's Veterans Treatment Court.

SECTION 3. Section 1 of this act becomes effective October 1, 2016. The remainder of this act becomes effective July 1, 2016.

