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HOUSE BILL 483

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

Sponsors:	Representatives G. Martin, Zachary, Reives, and Rogers (Primary Sponsors).
	For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to:	Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary II

March 28, 2017

1   A BILL TO BE ENTITLED
2   AN ACT TO PROVIDE THAT A COURT MAY CONSIDER POSTTRAUMATIC STRESS
3   DISORDER AS A MITIGATING FACTOR WHEN SENTENCING A PERSON WHO IS
4   A VETERAN.
5   The General Assembly of North Carolina enacts:
6   **SECTION 1.** G.S. 15A-1340.16(e) is amended by adding a new subdivision to
7   read:
8   "(14a) The defendant has been diagnosed as suffering from posttraumatic stress
9   disorder resulting from his or her military service and is undergoing
10   professional treatment for that condition. As used in this section,
11   "posttraumatic stress disorder" means the same as such term is defined in the
12   Diagnostic and Statistical Manual of Mental Disorders, DSM-5, or
13   subsequent editions published by the American Psychiatric Association, and
14   occurred as a result of events during the service of the defendant in one or
15   more combat zones. The defendant shall provide to the court documentary
16   evidence that the defendant has done all of the following:
17   a.   Served in the Armed Forces of the United States of America in a
18   combat zone, as defined in section 112 of the federal Internal
19   Revenue Code of 1986. Proof of such service shall consist of a
20   certification by the Secretary of Military and Veterans Affairs.
21   b.   Been diagnosed with a posttraumatic stress disorder connected to his
22   or her service in the Armed Forces of the United States of America."
23   **SECTION 2.** This act becomes effective October 1, 2017.

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