

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B 1104
May 10, 2016
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10523-LHa-192 (04/27)

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

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

Referred to:

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 A
4 VETERAN AND TO APPROPRIATE FUNDS TO HELP SUPPORT THE STATE'S
5 VETERANS TREATMENT COURT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 15A-1340.16(e) is amended by adding a new subdivision to 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, "posttraumatic
11 stress disorder" means the same as such term is defined in the Diagnostic and
12 Statistical Manual of Mental Disorders, Fifth Edition (DSM-5, 2013), and
13 occurred as a result of events during the service of the defendant in one or more
14 combat zones. The defendant shall provide to the court documentary evidence
15 that the defendant has done all of the following:

16 a. Served in the Armed Forces of the United States of America in a combat
17 zone, as defined in Section 112 of the Federal Internal Revenue Code of
18 1986. Proof of such service shall consist of a certification by the
19 Director of the Department of Veterans Affairs.

20 b. Been diagnosed with a posttraumatic stress disorder connected to his or
21 her service in the Armed Forces of the United States of America."

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

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

