

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 1104  
PROPOSED COMMITTEE SUBSTITUTE H1104-PCS40624-BB-1

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

(Public)

Sponsors:

Referred to:

May 11, 2016

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, DSM-5, or subsequent editions  
13 published by the American Psychiatric Association, and occurred as a result of  
14 events during the service of the defendant in one or more combat zones. The  
15 defendant shall provide to the court documentary evidence that the defendant  
16 has done all of the following:

17 a. Served in the Armed Forces of the United States of America in a combat  
18 zone, as defined in section 112 of the federal Internal Revenue Code of  
19 1986. Proof of such service shall consist of a certification by the  
20 Secretary of Military and Veterans Affairs.

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

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

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

