

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 402

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

Sponsors: Senators Britt and J. Jackson (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 28, 2017

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.

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, DSM-5, or subsequent editions published by the American Psychiatric Association, 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 Secretary of Military and 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. This act becomes effective October 1, 2017.



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