

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

H

2

HOUSE BILL 483  
Committee Substitute Favorable 4/6/17

Short Title: Vet. Posttraumatic Stress/Mitigating Factor.

(Public)

Sponsors:

Referred to:

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 either a  
20 certification by the Secretary of Military and Veteran Affairs or a  
21 Form DD-214.  
22 b. Been diagnosed with a posttraumatic stress disorder connected to his  
23 or her service in the Armed Forces of the United States of America."

24 **SECTION 2.** This act becomes effective October 1, 2017, and applies to offenses  
25 committed on or after that date.



\* H 4 8 3 - V - 2 \*