

1 ENGROSSED HOUSE
2 BILL NO. 2595

By: Morrissette, Bennett and
Sherrer of the House

3 and

4 Simpson of the Senate
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6

7 An Act relating to criminal procedure; granting
8 courts authority to consider posttraumatic stress
9 disorder as mitigating factor when sentencing
10 veterans; directing defendants to provide certain
11 evidence; defining term; providing for codification;
12 and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 973a of Title 22, unless there
16 is created a duplication in numbering, reads as follows:

17 A. When making a sentencing decision concerning a person who is
18 a veteran, the court may consider as a mitigating factor that the
19 person has been diagnosed as suffering from posttraumatic stress
20 disorder resulting from his or her military service.

21 B. The defendant shall provide to the court documentary
22 evidence that the defendant:

23 1. Has served in the Armed Forces of the United States of
24 America in a combat zone, as defined in Section 112 of the Federal
Internal Revenue Code of 1986. Proof of such service shall consist

1 of a certification by the Director of the Department of Veterans
2 Affairs; and

3 2. Diagnosed with a posttraumatic stress disorder connected to
4 his or her service in the Armed Forces of the United States of
5 America.

6 C. As used in this section, "posttraumatic stress disorder"
7 means the same as such term is defined in the Diagnostic and
8 Statistical Manual of Mental Disorders, Fifth Edition (DSM-5, 2013),
9 and occurred as a result of events during the service of the
10 defendant in one or more combat zones.

11 SECTION 2. This act shall become effective November 1, 2016.

12 Passed the House of Representatives the 2nd day of March, 2016.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2016.

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Presiding Officer of the Senate

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