

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 584  
PROPOSED COMMITTEE SUBSTITUTE H584-PCS10436-TT-16

Short Title: Vet. Posttraumatic Stress/Mitigating Factor.

(Public)

Sponsors:

Referred to:

April 19, 2021

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) reads as rewritten:

7 "(e) Mitigating Factors. – The following are mitigating factors:

8 ...

9 (14a) The defendant has been diagnosed as suffering from Posttraumatic Stress  
10 Disorder resulting from the defendant's military service and is undergoing  
11 professional treatment for that condition. As used in this section,  
12 "Posttraumatic Stress Disorder" is defined in the same manner as in the  
13 Diagnostic and Statistical Manual of Mental Disorders, 5th Edition: DSM-5,  
14 or subsequent editions published by the American Psychiatric Association,  
15 occurring as a result of the defendant's service in one or more military combat  
16 zones. The defendant shall provide to the court documentary evidence that the  
17 defendant has done all of the following:

18 a. Served in the Armed Forces of the United States in a combat zone, as  
19 the term is defined in 26 U.S.C. § 112. Proof of service shall consist  
20 of either a certification by the Secretary of Military and Veterans  
21 Affairs or a United States Department of Defense Form DD-214.

22 b. Been diagnosed with Posttraumatic Stress Disorder connected to the  
23 defendant's service in the Armed Forces of the United States of  
24 America.

25 ...."

26 **SECTION 2.** This act becomes effective December 1, 2021, and applies to  
27 offenses committed on or after that date.



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