

# An Act

ENROLLED HOUSE  
BILL NO. 2595

By: Morrissette, Bennett,  
Sherrer and Roberts  
(Dustin) of the House

and

Simpson, Brooks, Pittman  
and Dossett of the Senate

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

SUBJECT: Sentencing of veterans

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

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

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

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

1. Has 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 Director of the Department of Veterans Affairs; and

2. Has been diagnosed with a posttraumatic stress disorder connected to his or her service in the Armed Forces of the United States of America.

C. 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, Fifth Edition (DSM-5, 2013), and occurred as a result of events during the service of the defendant in one or more combat zones.

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

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

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 19th day of April, 2016.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_