

Union Calendar No. 114

113TH CONGRESS
1ST SESSION

H. R. 602

[Report No. 113–159]

To amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2013

Mr. MILLER of Florida introduced the following bill; which was referred to the Committee on Veterans' Affairs

JULY 19, 2013

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans 2nd Amend-
5 ment Protection Act”.

6 **SEC. 2. CONDITIONS FOR TREATMENT OF CERTAIN PER-**
7 **SONS AS ADJUDICATED MENTALLY INCOM-**
8 **PETENT FOR CERTAIN PURPOSES.**

9 (a) IN GENERAL.—Chapter 55 of title 38, United
10 States Code, is amended by adding at the end the fol-
11 lowing new section:

12 **“§ 5511. Conditions for treatment of certain persons**
13 **as adjudicated mentally incompetent for**
14 **certain purposes**

15 “In any case arising out of the administration by the
16 Secretary of laws and benefits under this title, a person
17 who is mentally incapacitated, deemed mentally incom-
18 petent, or experiencing an extended loss of consciousness
19 shall not be considered adjudicated as a mental defective
20 under subsection (d)(4) or (g)(4) of section 922 of title
21 18 without the order or finding of a judge, magistrate,
22 or other judicial authority of competent jurisdiction that
23 such person is a danger to himself or herself or others.”.

- 1 (b) CLERICAL AMENDMENT.—The table of sections
- 2 at the beginning of chapter 55 of such title is amended
- 3 by adding at the end the following new item:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”.

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