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State of Minnesota

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Page No. **504**

HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **3670**

March 3, 2008

Authored by Mullery and Haws

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

March 19, 2008

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act
1.2 relating to public safety; requiring the court to inquire as to whether a
1.3 convicted defendant is a veteran; authorizing consultation with federal and state
1.4 veterans affairs regarding mental health treatment options during presentence
1.5 investigations; amending Minnesota Statutes 2006, section 609.115, by adding a
1.6 subdivision.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2006, section 609.115, is amended by adding a
1.9 subdivision to read:

1.10 Subd. 10. **Veterans; mental health status.** (a) When a defendant is convicted of a
1.11 crime, the court shall inquire whether the defendant is a veteran of the armed forces of
1.12 the United States.

1.13 (b) If the defendant is a veteran and has been diagnosed with a mental illness by a
1.14 qualified psychiatrist or clinical psychologist or physician, the court may:

1.15 (1) order that the officer preparing the report under subdivision 1 consult with the
1.16 United States Department of Veterans Affairs, Minnesota Department of Veterans Affairs,
1.17 or another agency or person with suitable knowledge or experience, for the purpose
1.18 of providing the court with information regarding treatment options available to the
1.19 defendant as a veteran including federal, state, and local programming; and

1.20 (2) consider the treatment recommendations of any diagnosing or treating mental
1.21 health professionals together with the treatment options available to the defendant as
1.22 a veteran in imposing sentence.