AMENDMENT NO.______       Calendar No.______

Purpose: To clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.


S. 3525

To protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Referred to the Committee on _________________ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. COBURN (FOR HIMSELF, AND MR. WEBB, MR. WICKER, MR. INHOFE, MR. ROBERTS, MR. BLUNT, MR. ENZI, MR. HATCH, AND MS. COLLINS)

Viz:

At the end of title I, add the following:

Subtitle D—Other Matters

SEC. 131. CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:
§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

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

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

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