

114TH CONGRESS  
1ST SESSION

# H. R. 2001

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2015

Mr. MILLER of Florida (for himself and Mr. CONAWAY) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## 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”.

1 **SEC. 2. CONDITIONS FOR TREATMENT OF CERTAIN PER-**  
2 **SONS AS ADJUDICATED MENTALLY INCOM-**  
3 **PETENT FOR CERTAIN PURPOSES.**

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

7 **“§ 5511. Conditions for treatment of certain persons**  
8 **as adjudicated mentally incompetent for**  
9 **certain purposes**

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

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

“5511. Conditions for treatment of certain persons as adjudicated mentally in-  
competent for certain purposes.”.

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