



525032

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: FAV	.	
4/16/2008	.	
	.	
	.	

1 The Committee on Criminal Justice (Aronberg) recommended the
 2 following **amendment to amendment (330518)**:

Senate Amendment

Delete line(s) 7-19

and insert:

7 (d) "Mental injury" means injury to the intellectual or
 8 psychological capacity of a child as evidenced by a discernible
 9 and substantial impairment in the ability of the child to
 10 function within the normal range of performance and behavior as
 11 supported by expert testimony. A person may not give expert
 12 testimony regarding mental injury unless that person is a
 13 physician licensed under chapter 458 or chapter 459, board-
 14 certified in psychiatry, or a psychologist licensed under chapter
 15 490, and, during the 3 years immediately preceding the date of
 16 the alleged injury, has devoted professional time to the active
 17 clinical practice of, or consulting with respect to, a specialty

Bill No. SB 1280



525032

18 that includes the evaluation, diagnosis, or treatment of the
19 condition that is the subject of the offense. The expert
20 testimony requirements apply only to criminal court cases, not to
21 family court or dependency court cases.