

HB 547

2011

1                   A bill to be entitled  
2           An act relating to mentally deficient and mentally ill  
3           defendants; amending s. 916.106, F.S.; defining the term  
4           "traumatic brain injury"; revising the definition of the  
5           term "mental illness"; providing an effective date.

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7   Be It Enacted by the Legislature of the State of Florida:

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9           Section 1. Subsection (13) of section 916.106, Florida  
10          Statutes, is amended, and subsection (18) is added to that  
11          section, to read:

12           916.106 Definitions.—For the purposes of this chapter, the  
13          term:

14           (13) "Mental illness" means an impairment of the emotional  
15          processes that exercise conscious control of one's actions, or  
16          of the ability to perceive or understand reality, which  
17          impairment substantially interferes with a defendant's ability  
18          to meet the ordinary demands of living and includes traumatic  
19          brain injury. For the purposes of this chapter, the term does  
20          not apply to defendants with only mental retardation or autism  
21          and does not include intoxication or conditions manifested only  
22          by antisocial behavior or substance abuse impairment.

23           (18) "Traumatic brain injury" means a form of acquired  
24          brain injury that occurs when a sudden trauma causes damage to  
25          the brain and a severe change in emotional, behavioral, and  
26          cognitive functions.

27          Section 2. This act shall take effect July 1, 2011.