

H.690

Introduced by Representatives Haas of Rochester, Lenex of Shelburne, and

Waite-Simpson of Essex

Referred to Committee on

Date:

Subject: Corrections; serious functional impairment

Statement of purpose of bill as introduced: This bill proposes to amend the definition of "serious functional impairment" to specify that the designation only applies to persons residing within a correctional facility.

An act relating to the definition of serious functional impairment

It is hereby enacted by the General Assembly of the State of Vermont:

~~Sec. 1. 28 V.S.A. § 906 is amended to read:~~

~~§ 906. DEFINITIONS~~

~~As used in this subchapter:~~

~~(1) "Serious functional impairment" means the designation used only for a person residing in a correctional facility who has:~~

~~(A) a disorder of thought, mood, perception, orientation, or memory as diagnosed by a qualified mental health professional, which that substantially impairs judgment, behavior, capacity to recognize reality, or ability to meet the~~

1 ~~ordinary demands of life and which that substantially impairs the ability to~~
2 ~~function within the correctional setting; or~~

3 (B) a developmental disability, traumatic brain injury or other
4 organic brain disorder, or various forms of dementia or other neurological
5 disorders, as diagnosed by a qualified mental health professional, ~~which that~~
6 ~~substantially impairs the ability to function in the correctional setting.~~

7 ~~***~~

Sec. 1. 28 V.S.A. § 905 is added to read:

§ 905. LEGISLATIVE INTENT

*It is the intent of the General Assembly that the serious functional
impairment designation apply solely to individuals residing in a correctional
facility and not to individuals reentering the community after incarceration.*

8 Sec. 2. EFFECTIVE DATE

9 This act shall take effect on ~~July 1, 2014~~ *passage*.