

1 S.176

2 Introduced by Senator Hashim

3 Referred to Committee on

4 Date:

5 Subject: Criminal procedures; competency to stand trial; subsequent
6 competency evaluations

7 Statement of purpose of bill as introduced: This bill proposes to provide that a
8 decision by the Department of Mental Health to terminate or no longer extend
9 a treatment order for a criminal defendant shall constitute a changed
10 circumstance that qualifies the defendant for a subsequent psychiatric
11 competency evaluation.

12 An act relating to subsequent evaluations of competency to stand trial

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

14 Sec. 1. 13 V.S.A. § 4814 is amended to read:

15 § 4814. ORDER FOR EXAMINATION OF COMPETENCY

16 (a) Any court before which a criminal prosecution is pending may order the
17 Department of Mental Health to have the defendant examined by a psychiatrist
18 at any time before, during, or after trial, and before final judgment in any of the
19 following cases:

20 (1) [Repealed.]

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Sec. 2. EFFECTIVE DATE

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This act shall take effect on passage.