

AMENDMENT TO RULES COMMITTEE PRINT 116-5
OFFERED BY MR. GOSAR OF ARIZONA

Page 6, after line 12, insert the following:

1 **SEC. __. 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 inserting after section 5501A
6 the following new section:

7 **“§ 5501B. Conditions for treatment of certain persons**
8 **as adjudicated mentally incompetent for**
9 **certain purposes**

10 “Notwithstanding any determination made by the
11 Secretary under section 5501A of this title, in any case
12 arising out of the administration by the Secretary of laws
13 and benefits under this title, a person who is mentally in-
14 capacitated, deemed mentally incompetent, or experi-
15 encing an extended loss of consciousness shall not be con-
16 sidered adjudicated as a mental defective under subsection
17 (d)(4) or (g)(4) of section 922 of title 18 without the order
18 or finding of a judge, magistrate, or other judicial author-
19 ity of competent jurisdiction that such person is a danger
20 to himself or herself or others.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 55 of such title is amended
3 by inserting after the item relating to section 5501A the
4 following new item:

“5501B. Conditions for treatment of certain persons as adjudicated mentally in-
competent for certain purposes.”.

