

By: Walls

To: Judiciary

SENATE BILL NO. 2390

1 AN ACT TO ESTABLISH DIMINISHED RESPONSIBILITY STEMMING FROM
2 SYSTEMATIC ABUSE BY THE VICTIM AS A DEFENSE TO PROSECUTION; AND
3 FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. A person is not responsible for criminal conduct
6 if at the time of such conduct the defendant suffered from an
7 impaired mental state such that he lacked capacity to achieve the
8 state of mind requisite for the commission of the crime. In order
9 to successfully raise the defense, the defendant must establish
10 the following:

11 (a) That he suffered from an impaired mental state such
12 that he lacked capacity to achieve a criminal state of mind;

13 (b) That his impaired mental state directly resulted
14 from a series of systematic mental, emotional or physical abuse;

15 (c) That the victim was a procurer of that abuse; and

16 (d) That the defendant had available no reasonable
17 means to resist the abuse.

18 SECTION 2. This act shall take effect and be in force from
19 and after its passage.