SENATE BILL NO. 2140

AN ACT TO ESTABLISH DIMINISHED CAPACITY AS A DEFENSE TO CRIMINAL PROSECUTION; AND FOR RELATED PURPOSES.

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

SECTION 1. It is an affirmative defense to prosecution for criminal conduct that, at the time of the conduct, the defendant lacked substantial capacity either to appreciate the criminality of his conduct or to conform his conduct to the requirements of law, and that the lack of capacity was as a result of mental disease or defect.

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