

# SENATE MOTION

MADAM PRESIDENT:

**I move** that Senate Bill 88 be amended to read as follows:

- 1       Page 1, line 4, strike "insanity," and insert "**mental disease or**
- 2       **defect,**".
- 3       Page 1, line 4, strike "sanity".
- 4       Page 1, line 5, strike "or insanity" and insert "**mental state**".
- 5       Page 1, line 7, strike "an insanity defense" and insert "**a defense of**
- 6       **mental disease or defect**".
- 7       Page 1, line 9, delete "," and insert "**or in a case in which the**
- 8       **defendant is not being charged with murder (IC 35-42-1-1),**".
- 9       Page 1, line 15, delete "insanity." and insert "**whether a person**
- 10       **suffers from a mental disease or defect that affects the person's**
- 11       **ability to appreciate the wrongfulness of the person's conduct.**".
- 12       Page 2, line 7, delete "an insanity defense" and insert "**a defense of**
- 13       **mental disease or defect**".
- 14       Page 2, line 9, delete "," and insert "**or in a case in which the**
- 15       **defendant is charged with murder (IC 35-42-1-1),**".
- 16       Page 2, line 15, delete "insanity." and insert "**whether a person**
- 17       **suffers from a mental disease or defect that affects the person's**

1     **ability to appreciate the wrongfulness of the person's conduct. At**  
2     **least one (1) of the individuals appointed under this subsection**  
3     **must be a psychiatrist."**

(Reference is to SB 88 as printed January 31, 2014.)

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Senator BREAUX