

2012922e1

1 A bill to be entitled
2 An act relating to current and former military personnel;
3 amending s. 265.003, F.S.; creating the Florida Veterans' Hall
4 of Fame Council; providing for membership and terms of
5 appointment; providing for the appointment of a chair; providing
6 for meetings, a quorum, and voting; providing for reimbursement
7 of travel expenses; providing for the removal of an appointee;
8 providing for the Florida Veterans' Hall of Fame Council rather
9 than the Department of Veterans' Affairs to select nominees for
10 induction into the Florida Veterans' Hall of Fame and to
11 establish the criteria for selection; amending s. 295.187, F.S.;
12 revising legislative intent; renaming and revising the Florida
13 Service-Disabled Veteran Business Enterprise Opportunity Act to
14 expand the vendor preference in state contracting to include
15 certain businesses owned and operated by wartime veterans or
16 veterans of a period of war; amending s. 320.08056, F.S.;
17 providing the license plate annual use fee for an American
18 Legion license plate; amending s. 320.08058, F.S.; creating the
19 American Legion license plate; providing for the distribution of
20 use fees received from the sale of the license plates; amending
21 s. 320.089, F.S.; providing for the issuance of a Combat
22 Infantry Badge license plate; providing qualifications and
23 requirements for the plate; providing for the use of proceeds
24 from the sale of the plate; providing for issuance of a Vietnam
25 War Veterans' license plate and the Korean Conflict Veterans'
26 license plate; providing qualifications and requirements for the
27 plates; creating s. 320.0892, F.S.; providing for the Department
28 of Highway Safety and Motor Vehicles to issue Silver Star,
29 Distinguished Service Cross, Navy Cross, and Air Force Cross

2012922e1

30 license plates, without payment of the license tax, to persons
31 meeting specified criteria; creating s. 683.146, F.S.;
32 designating August 7 of each year as "Purple Heart Day";
33 providing a short title; creating a court program for certain
34 servicemembers and military veterans who suffer from mental
35 illness, traumatic brain injury, substance use disorder, or
36 psychological problems as a result of their military service;
37 providing qualifications for entrance into the court program;
38 amending s. 948.08, F.S.; creating a pretrial veterans' and
39 servicemembers' treatment intervention program; providing
40 requirements for a defendant to be voluntarily admitted to the
41 pretrial program; providing certain exceptions to such
42 admission; providing for the disposition of pending charges
43 following a defendant's completion of the pretrial intervention
44 program; providing for the charges to be expunged under certain
45 circumstances; amending s. 948.16, F.S.; creating a misdemeanor
46 pretrial veterans' treatment intervention program; providing
47 requirements for voluntary admission to the misdemeanor pretrial
48 program; providing for the misdemeanor charges to be expunged
49 under certain circumstances; exempting treatment services
50 provided by the Department of Veterans' Affairs or the United
51 States Department of Veterans Affairs from certain contract
52 requirements; creating s. 948.21, F.S.; authorizing the court to
53 impose a condition of probation or community control for certain
54 defendant veterans or servicemembers which requires
55 participation in a treatment program capable of treating a
56 mental illness, a traumatic brain injury, a substance use
57 disorder, or a psychological problem; amending s. 1003.05, F.S.;
58 requiring that a school board provide an option to school-aged

2012922e1

59 dependents of military personnel to choose certain schools if
60 the student is reassigned as a result of school rezoning;
61 creating s. 1004.075, F.S.; requiring certain Florida College
62 System institutions and state universities to provide priority
63 course registration for veterans; providing eligibility
64 requirements; creating s. 1005.09, F.S.; encouraging certain
65 independent postsecondary educational institutions to provide
66 priority course registration for veterans; amending s. 1009.21,
67 F.S.; providing that veterans of the Armed Services of the
68 United States, including reserve components thereof, who attend
69 the physical location of a public college, university, or
70 institution of higher learning within the state are residents
71 for tuition purposes; providing honorary designations of certain
72 transportation facilities in specified counties; directing the
73 Department of Transportation to erect suitable markers;
74 providing effective dates.

75

76 Be It Enacted by the Legislature of the State of Florida:

77

78 Section 1. Section 265.003, Florida Statutes, is amended to
79 read:

80 265.003 Florida Veterans' Hall of Fame.—

81 (1) It is the intent of the Legislature to recognize and
82 honor those military veterans who, through their works and lives
83 during or after military service, have made a significant
84 contribution to the State of Florida.

85 (2) There is established the Florida Veterans' Hall of
86 Fame.

87 (a) The Florida Veterans' Hall of Fame is administered by

2012922e1

88 the Florida Department of Veterans' Affairs without
89 appropriation of state funds.

90 (b) The Department of Management Services shall set aside
91 an area on the Plaza Level of the Capitol Building along the
92 northeast front wall and shall consult with the Department of
93 Veterans' Affairs regarding the design and theme of the area.

94 (c) Each person who is inducted into the Florida Veterans'
95 Hall of Fame shall have his or her name placed on a plaque
96 displayed in the designated area of the Capitol Building.

97 (3) (a) The Florida Veterans' Hall of Fame Council is
98 created within the Department of Veterans' Affairs as an
99 advisory council, as defined in s. 20.03(7), consisting of seven
100 members who shall all be honorably discharged veterans, and at
101 least four of whom must be members of a congressionally
102 chartered veterans service organization. The Governor, the
103 President of the Senate, the Speaker of the House of
104 Representatives, the Attorney General, the Chief Financial
105 Officer, the Commissioner of Agriculture, and the executive
106 director of the Department of Veterans' Affairs shall each
107 appoint one member. For the purposes of ensuring staggered
108 terms, the council members appointed by the Governor, the
109 Attorney General, the Chief Financial Officer, and the
110 Commissioner of Agriculture shall be appointed to 4-year terms
111 beginning on January 1 of the year of appointment, and the
112 council members appointed by the President of the Senate, the
113 Speaker of the House of Representatives, and the executive
114 director of the Department of Veterans' Affairs shall be
115 appointed to 2-year terms beginning on January 1 of the year of
116 appointment. After the initial appointments, all appointees

2012922e1

117 shall be appointed to 4-year terms. A member whose term expires
118 shall continue to serve on the council until such time as a
119 replacement is appointed.

120 (b) The members shall annually elect a chair from among
121 their number. The council shall meet at the call of its chair,
122 at the request of the executive director of the Department of
123 Veterans' Affairs, or at such times as may be prescribed by the
124 council. A majority of the members of the council currently
125 appointed constitutes a quorum, and a meeting may not be held
126 unless a quorum is present. The affirmative vote of a majority
127 of the members of the council present is necessary for any
128 official action by the council.

129 (c) Members of the council may not receive compensation or
130 honorarium for their services, but members are entitled to
131 reimbursement for travel expenses incurred in the performance of
132 their duties as provided in s. 112.061.

133 (d) The original appointing authority may remove his or her
134 appointee from the council for misconduct or malfeasance in
135 office, neglect of duty, incompetence, or permanent inability to
136 perform official duties or if the member is adjudicated guilty
137 of a felony.

138 (4)(3)(a) The Florida Veterans' Hall of Fame Council
139 Department of Veterans' Affairs shall annually accept
140 nominations of persons to be considered for induction into the
141 Florida Veterans' Hall of Fame and shall then transmit a list of
142 up to 20 nominees its recommendations to the Department of
143 Veterans' Affairs for submission to the Governor and the Cabinet
144 who will select the nominees to be inducted.

145 (b) In selecting its nominees for submission making its

2012922e1

146 ~~recommendations~~ to the Governor and the Cabinet, the Florida
147 Veterans' Hall of Fame Council ~~Department of Veterans' Affairs~~
148 shall give preference to veterans who were born in Florida or
149 adopted Florida as their home state or base of operation and who
150 have made a significant contribution to the state in civic,
151 business, public service, or other pursuits.

152 (5)~~(4)~~ The Florida Veterans' Hall of Fame Council
153 ~~Department of Veterans' Affairs~~ may establish criteria and set
154 specific time periods for acceptance of nominations and for the
155 process of selection of nominees for membership and establish a
156 formal induction ceremony to coincide with the annual
157 commemoration of Veterans' Day.

158 Section 2. Section 295.187, Florida Statutes, is amended to
159 read:

160 295.187 Florida ~~Service-Disabled~~ Veteran Business
161 Enterprise Opportunity Act.—

162 (1) SHORT TITLE.—This section may be cited as the "Florida
163 ~~Service-Disabled~~ Veteran Business Enterprise Opportunity Act."

164 (2) INTENT.—It is the intent of the Legislature to rectify
165 the economic disadvantage of service-disabled veterans, who are
166 statistically the least likely to be self-employed when compared
167 to the veteran population as a whole and who have made
168 extraordinary sacrifices on behalf of the nation, the state, and
169 the public, by providing opportunities for service-disabled
170 veteran business enterprises as set forth in this section. The
171 Legislature also intends to recognize wartime veterans and
172 veterans of a period of war for their sacrifices as set forth in
173 this section.

174 (3) DEFINITIONS.—For the purpose of this section, the term:

2012922e1

175 (a) "Certified ~~service-disabled~~ veteran business
176 enterprise" means a business that has been certified by the
177 Department of Management Services to be a ~~service-disabled~~
178 veteran business enterprise as defined in paragraph (c).

179 (b) "Service-disabled veteran" means a veteran who is a
180 permanent Florida resident with a service-connected disability
181 as determined by the United States Department of Veterans
182 Affairs or who has been terminated from military service by
183 reason of disability by the United States Department of Defense.

184 (c) "~~Service-disabled~~ Veteran business enterprise" means an
185 independently owned and operated business that:

186 1. Employs 200 or fewer permanent full-time employees;
187 2. Together with its affiliates has a net worth of \$5
188 million or less or, if a sole proprietorship, has a net worth of
189 \$5 million or less including both personal and business
190 investments;

191 3. Is organized to engage in commercial transactions;

192 4. Is domiciled in this state;

193 5. Is at least 51 percent owned by one or more wartime
194 veterans or service-disabled veterans; and

195 6. The management and daily business operations of which
196 are controlled by one or more wartime veterans or service-
197 disabled veterans or, for a service-disabled veteran having ~~with~~
198 a permanent and total disability, by the spouse or permanent
199 caregiver of the veteran.

200 (d) "Wartime veteran" means:

201 1. A veteran as defined in s. 1.01(14); or

202 2. A veteran of a period of war, as used in 38 U.S.C. s.
203 1521, who served in the active military, naval, or air service:

2012922e1

204 a. For 90 days or more during a period of war;

205 b. During a period of war and was discharged or released
206 from such service for a service-connected disability;

207 c. For a period of 90 consecutive days or more and such
208 period began or ended during a period of war; or

209 d. For an aggregate of 90 days or more in two or more
210 separate periods of service during more than one period of war.

211 (4) VENDOR PREFERENCE.—

212 (a) A state agency, when considering two or more bids,
213 proposals, or replies for the procurement of commodities or
214 contractual services, at least one of which is from a certified
215 ~~service-disabled~~ veteran business enterprise, which ~~that~~ are
216 equal with respect to all relevant considerations, including
217 price, quality, and service, shall award such procurement or
218 contract to the certified ~~service-disabled~~ veteran business
219 enterprise.

220 (b) Notwithstanding s. 287.057(11), if a ~~service-disabled~~
221 veteran business enterprise entitled to the vendor preference
222 under this section and one or more businesses entitled to this
223 preference or another vendor preference provided by law submit
224 bids, proposals, or replies for procurement of commodities or
225 contractual services which ~~that~~ are equal with respect to all
226 relevant considerations, including price, quality, and service,
227 ~~then~~ the state agency shall award the procurement or contract to
228 the business having the smallest net worth.

229 (c) Political subdivisions of the state are encouraged to
230 offer a similar consideration to businesses certified under this
231 section.

232 (5) CERTIFICATION PROCEDURE.—

2012922e1

233 (a) The application for certification as a ~~service-disabled~~
234 veteran business enterprise must, at a minimum, include:

235 1. The name of the business enterprise applying for
236 certification and the name of the ~~service-disabled~~ veteran
237 submitting the application on behalf of the business enterprise.

238 2. The names of all owners of the business enterprise,
239 including owners who are wartime veterans, service-disabled
240 veterans, and owners who are not a wartime veteran or a service-
241 disabled veteran ~~veterans~~, and the percentage of ownership
242 interest held by each owner.

243 3. The names of all persons involved in both the management
244 and daily operations of the business, including the spouse or
245 permanent caregiver of a veteran who has ~~with~~ a permanent and
246 total disability.

247 4. The service-connected disability rating of all persons
248 listed under subparagraphs 1., 2., and 3., as applicable, with
249 supporting documentation from the United States Department of
250 Veterans Affairs or the United States Department of Defense.

251 5. Documentation of the wartime service of all persons
252 listed under subparagraphs 1., 2., and 3., as applicable, from
253 the United States Department of Veterans Affairs or the United
254 States Department of Defense.

255 ~~6.5.~~ The number of permanent full-time employees.

256 ~~7.6.~~ The location of the business headquarters.

257 ~~8.7.~~ The total net worth of the business enterprise and its
258 affiliates. In the case of a sole proprietorship, the net worth
259 includes personal and business investments.

260 (b) To maintain certification, a ~~service-disabled~~ veteran
261 business enterprise shall renew its certification biennially.

2012922e1

262 (c) ~~The provisions of Chapter 120,~~ relating to application,
263 denial, and revocation procedures, applies ~~shall apply~~ to
264 certifications under this section.

265 (d) A certified ~~service-disabled~~ veteran business
266 enterprise must notify the Department of Management Services
267 within 30 business days after any event that may significantly
268 affect the certification of the business, including, but not
269 limited to, a change in ownership or change in management and
270 daily business operations.

271 (e) The certification of a ~~service-disabled~~ veteran
272 business enterprise shall be revoked for 12 months if the
273 Department of Management Services determines that the business
274 enterprise violated paragraph (d). An owner of a certified
275 ~~service-disabled~~ veteran business enterprise whose certification
276 is revoked may ~~is~~ not ~~permitted to~~ reapply for certification
277 under this section as an owner of any business enterprise during
278 the 12-month revocation period.

279 1. During the 12-month revocation period, a ~~service-~~
280 ~~disabled~~ veteran business enterprise whose certification has
281 been revoked may bid on state contracts but is not eligible for
282 any preference available under this section.

283 2. A ~~service-disabled~~ veteran business enterprise whose
284 certification has been revoked may apply for certification at
285 the conclusion of the 12-month revocation period by complying
286 with requirements applicable to initial certifications.

287 (6) DUTIES OF THE DEPARTMENT OF VETERANS' AFFAIRS.—The
288 department shall:

289 (a) Assist the Department of Management Services in
290 establishing a certification procedure, which shall be reviewed

2012922e1

291 biennially and updated as necessary.

292 (b) Identify eligible ~~service-disabled~~ veteran business
293 enterprises by any electronic means, including electronic mail
294 or Internet website, or by any other reasonable means.

295 (c) Encourage and assist eligible ~~service-disabled~~ veteran
296 business enterprises to apply for certification under this
297 section.

298 (d) Provide information regarding services that are
299 available from the Office of Veterans' Business Outreach of the
300 Florida Small Business Development Center to ~~service-disabled~~
301 veteran business enterprises.

302 (7) DUTIES OF THE DEPARTMENT OF MANAGEMENT SERVICES.—The
303 department shall:

304 (a) With assistance from the Department of Veterans'
305 Affairs, establish a certification procedure, which shall be
306 reviewed biennially and updated as necessary.

307 (b) Grant, deny, or revoke the certification of a ~~service-~~
308 ~~disabled~~ veteran business enterprise under this section.

309 (c) Maintain an electronic directory of certified ~~service-~~
310 ~~disabled~~ veteran business enterprises for use by the state,
311 political subdivisions of the state, and the public.

312 (8) REPORT.—The Small Business Development Center shall
313 include in its report required by s. 288.705 the percentage of
314 certified ~~service-disabled~~ veteran business enterprises using
315 the statewide contracts register.

316 (9) RULES.—The Department of Veterans' Affairs and the
317 Department of Management Services, as appropriate, may adopt
318 rules as necessary to administer this section.

319 Section 3. Paragraph (aaaa) is added to subsection (4) of

2012922e1

320 section 320.08056, Florida Statutes, to read:

321 320.08056 Specialty license plates.—

322 (4) The following license plate annual use fees shall be
323 collected for the appropriate specialty license plates:

324 (aaaa) American Legion license plate, \$25.

325 Section 4. Subsection (79) is added to section 320.08058,
326 Florida Statutes, to read:

327 320.08058 Specialty license plates.—

328 (79) AMERICAN LEGION LICENSE PLATES.—

329 (a) Upon American Legion, Department of Florida, meeting
330 the requirements of s. 320.08053, the department shall develop a
331 American Legion license plate as provided in this section. The
332 plate must bear the colors and design approved by the department
333 and must incorporate the American Legion emblem as adopted by
334 the American Legion on June 9, 1919, and patented on December 9
335 of that same year. The word "Florida" must appear at the top of
336 the plate, and the words "American Legion" must appear at the
337 bottom of the plate.

338 (b) The annual use fees shall be distributed to the
339 American Legion, Department of Florida which shall retain the
340 initial revenues from the sale of the plates until all startup
341 costs incurred in the development and approval of the plates
342 have been reimbursed. Thereafter, the proceeds shall be
343 distributed as follows:

344 1. Sixty percent of the proceeds shall be distributed to
345 the American Legion, Department of Florida:

346 a. To support Boys State in Florida, the Veteran Affairs
347 and Rehabilitation program, and the Gilchrist Endowment Fund;
348 and

2012922e1

349 b. For administration and marketing of the license plate,
350 not to exceed 10 percent of the amount of the proceeds
351 distributed to the American Legion, Department of Florida.

352 2. Twenty percent of the proceeds shall be distributed to
353 the direct-support organization created under s. 292.055 under
354 the Department of Veterans' Affairs.

355 3. Twenty percent of the proceeds shall be distributed to
356 the direct-support organization created under s. 250.115 under
357 the Department of Military Affairs.

358 Section 5. Effective October 1, 2012, section 320.089,
359 Florida Statutes, is amended to read:

360 320.089 Members of National Guard and active United States
361 Armed Forces reservists; former prisoners of war; survivors of
362 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi
363 Freedom and Operation Enduring Freedom Veterans; Combat Infantry
364 Badge recipients; Vietnam War Veterans; Korean Conflict
365 Veterans; special license plates; fee.-

366 (1) (a) Each owner or lessee of an automobile or truck for
367 private use or recreational vehicle as specified in s.
368 320.08(9) (c) or (d), which is not used for hire or commercial
369 use, who is a resident of the state and an active or retired
370 member of the Florida National Guard, a survivor of the attack
371 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an
372 active or retired member of any branch of the United States
373 Armed Forces Reserve, or a recipient of the Combat Infantry
374 Badge shall, upon application to the department, accompanied by
375 proof of active membership or retired status in the Florida
376 National Guard, proof of membership in the Pearl Harbor
377 Survivors Association or proof of active military duty in Pearl

2012922e1

378 Harbor on December 7, 1941, proof of being a Purple Heart medal
379 recipient, ~~or~~ proof of active or retired membership in any
380 branch of the Armed Forces Reserve, or proof of membership in
381 the Combat Infantrymen's Association, Inc., or other proof of
382 being a recipient of the Combat Infantry Badge, and upon payment
383 of the license tax for the vehicle as provided in s. 320.08, be
384 issued a license plate as provided by s. 320.06, upon which, in
385 lieu of the serial numbers prescribed by s. 320.06, shall be
386 stamped the words "National Guard," "Pearl Harbor Survivor,"
387 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry
388 Badge," as appropriate, followed by the serial number of the
389 license plate. Additionally, the Purple Heart plate may have the
390 words "Purple Heart" stamped on the plate and the likeness of
391 the Purple Heart medal appearing on the plate.

392 (b) Notwithstanding any other provision of law to the
393 contrary, beginning with fiscal year 2002-2003 and annually
394 thereafter, the first \$100,000 in general revenue generated from
395 the sale of license plates issued under this section shall be
396 deposited into the Grants and Donations Trust Fund, as described
397 in s. 296.38(2), to be used for the purposes established by law
398 for that trust fund. Any additional general revenue generated
399 from the sale of such plates shall be deposited into the State
400 Homes for Veterans Trust Fund and used solely to construct,
401 operate, and maintain domiciliary and nursing homes for
402 veterans, subject to the requirements of chapter 216.

403 (c) Notwithstanding any provisions of law to the contrary,
404 an applicant for a Pearl Harbor Survivor license plate or a
405 Purple Heart license plate who also qualifies for a disabled
406 veteran's license plate under s. 320.084 shall be issued the

2012922e1

407 appropriate special license plate without payment of the license
408 tax imposed by s. 320.08.

409 (2) Each owner or lessee of an automobile or truck for
410 private use, truck weighing not more than 7,999 pounds, or
411 recreational vehicle as specified in s. 320.08(9)(c) or (d),
412 which is not used for hire or commercial use, who is a resident
413 of the state and who is a former prisoner of war, or their
414 unremarried surviving spouse, shall, upon application therefor
415 to the department, be issued a license plate as provided in s.
416 320.06, on which license plate are stamped the words "Ex-POW"
417 followed by the serial number. Each application shall be
418 accompanied by proof that the applicant meets the qualifications
419 specified in paragraph (a) or paragraph (b).

420 (a) A citizen of the United States who served as a member
421 of the Armed Forces of the United States or the armed forces of
422 a nation allied with the United States who was held as a
423 prisoner of war at such time as the Armed Forces of the United
424 States were engaged in combat, or their unremarried surviving
425 spouse, may be issued the special license plate provided for in
426 this subsection without payment of the license tax imposed by s.
427 320.08.

428 (b) A person who was serving as a civilian with the consent
429 of the United States Government, or a person who was a member of
430 the Armed Forces of the United States who was not a United
431 States citizen and was held as a prisoner of war when the Armed
432 Forces of the United States were engaged in combat, or their
433 unremarried surviving spouse, may be issued the special license
434 plate provided for in this subsection upon payment of the
435 license tax imposed by s. 320.08.

2012922e1

436 (3) Each owner or lessee of an automobile or truck for
437 private use, truck weighing not more than 7,999 pounds, or
438 recreational vehicle as specified in s. 320.08(9)(c) or (d),
439 which is not used for hire or commercial use, who is a resident
440 of this state and who is the unremarried surviving spouse of a
441 recipient of the Purple Heart medal shall, upon application
442 therefor to the department, with the payment of the required
443 fees, be issued a license plate as provided in s. 320.06, on
444 which license plate are stamped the words "Purple Heart" and the
445 likeness of the Purple Heart medal followed by the serial
446 number. Each application shall be accompanied by proof that the
447 applicant is the unremarried surviving spouse of a recipient of
448 the Purple Heart medal.

449 (4) The owner or lessee of an automobile or truck for
450 private use, a truck weighing not more than 7,999 pounds, or a
451 recreational vehicle as specified in s. 320.08(9)(c) or (d)
452 which automobile, truck, or recreational vehicle is not used for
453 hire or commercial use who is a resident of the state and a
454 current or former member of the United States military who was
455 deployed and served in Iraq during Operation Iraqi Freedom or in
456 Afghanistan during Operation Enduring Freedom shall, upon
457 application to the department, accompanied by proof of active
458 membership or former active duty status during one of these
459 operations, and upon payment of the license tax for the vehicle
460 as provided in s. 320.08, be issued a license plate as provided
461 by s. 320.06 upon which, in lieu of the registration license
462 number prescribed by s. 320.06, shall be stamped the words
463 "Operation Iraqi Freedom" or "Operation Enduring Freedom," as
464 appropriate, followed by the registration license number of the

2012922e1

465 plate.

466 (5) The owner or lessee of an automobile or truck for
467 private use, a truck weighing not more than 7,999 pounds, or a
468 recreational vehicle as specified in s. 320.08(9)(c) or (d)
469 which automobile, truck, or recreational vehicle is not used for
470 hire or commercial use, who is a resident of the state and a
471 current or former member of the United States military, and who
472 was deployed and served in Vietnam during United States military
473 deployment in Indochina shall, upon application to the
474 department, accompanied by proof of active membership or former
475 active duty status during these operations, and upon payment of
476 the license tax for the vehicle as provided in s. 320.08, be
477 issued a license plate as provided by s. 320.06 upon which, in
478 lieu of the registration license number prescribed by s. 320.06,
479 shall be stamped the words "Vietnam War Veteran," followed by
480 the registration license number of the plate.

481 (6) The owner or lessee of an automobile or truck for
482 private use, a truck weighing not more than 7,999 pounds, or a
483 recreational vehicle as specified in s. 320.08(9)(c) or (d)
484 which automobile, truck, or recreational vehicle is not used for
485 hire or commercial use, who is a resident of the state and a
486 current or former member of the United States military, and who
487 was deployed and served in Korea during United States military
488 deployment in Korea shall, upon application to the department,
489 accompanied by proof of active membership or former active duty
490 status during these operations, and upon payment of the license
491 tax for the vehicle as provided in s. 320.08, be issued a
492 license plate as provided by s. 320.06 upon which, in lieu of
493 the registration license number prescribed by s. 320.06, shall

2012922e1

494 be stamped the words "Korean Conflict Veteran," followed by the
495 registration license number of the plate.

496 Section 6. Section 320.0892, Florida Statutes, is created
497 to read:

498 320.0892 Motor vehicle license plates for recipients of the
499 Silver Star, Distinguished Service Cross, Navy Cross, or Air
500 Force Cross.—Upon receipt of an application and proof that the
501 applicant meets the qualifications listed in this section for
502 the applicable license plate, the department shall issue the
503 license plate without payment of the license tax imposed under
504 s. 320.08:

505 (1) SILVER STAR.—Any United States citizen who is a
506 resident of this state and who was awarded the Silver Star while
507 serving as a member of the United States Armed Forces shall be
508 issued a license plate on which is stamped the words "Silver
509 Star" followed by the serial number.

510 (2) DISTINGUISHED SERVICE CROSS.—Any United States citizen
511 who is a resident of this state and who was awarded the
512 Distinguished Service Cross while serving as a member of the
513 United States Armed Forces shall be issued a license plate on
514 which is stamped the words "Distinguished Service Cross"
515 followed by the serial number.

516 (3) NAVY CROSS.—Any United States citizen who is a resident
517 of this state and who was awarded the Navy Cross while serving
518 as a member of the United States Armed Forces shall be issued a
519 license plate on which is stamped the words "Navy Cross"
520 followed by the serial number.

521 (4) AIR FORCE CROSS.—Any United States citizen who is a
522 resident of this state and who was awarded the Air Force Cross

2012922e1

523 while serving as a member of the United States Armed Forces
524 shall be issued a license plate on which is stamped the words
525 "Air Force Cross" followed by the serial number.

526 Section 7. Section 683.146, Florida Statutes, is created to
527 read:

528 683.146 Purple Heart Day.—

529 (1) August 7 of each year is designated as "Purple Heart
530 Day."

531 (2) The Governor may annually issue a proclamation
532 designating August 7 as "Purple Heart Day." Public officials,
533 schools, private organizations, and all residents of the state
534 are encouraged to commemorate Purple Heart Day and honor those
535 wounded or killed while serving in any branch of the United
536 States Armed Services.

537 Section 8. Sections 9 through 12 of this act may be cited
538 as the "T. Patt Maney Veterans' Treatment Intervention Act."

539 Section 9. Military veterans and servicemembers court
540 program.—The chief judge of each judicial circuit may establish
541 a military veterans and servicemembers court program under which
542 veterans, as defined in s. 1.01, Florida Statutes, and
543 servicemembers, as defined in s. 250.01, Florida Statutes, who
544 are convicted of or charged with a criminal offense and who
545 suffer from a mental illness, traumatic brain injury, substance
546 use disorder, or psychological problem as a result of their
547 military service are eligible to participate. Upon a conviction,
548 an eligible military veteran or servicemember may be sentenced
549 in such a manner as to appropriately address the severity of the
550 mental illness, traumatic brain injury, substance use disorder,
551 or psychological problem through services tailored to the

2012922e1

552 individual needs of the participant. Entry into any military
553 veterans and servicemembers court program must be based upon the
554 sentencing court's assessment of the defendant's criminal
555 history, military service, need for substance use treatment,
556 need for mental health treatment, amenability to the services of
557 the program, the advisory recommendation of the state attorney
558 and the victim, if any, and the defendant's agreement to enter
559 the program.

560 Section 10. Present subsection (7) of section 948.08,
561 Florida Statutes, is renumbered as subsection (8), and a new
562 subsection (7) is added to that section, to read:

563 948.08 Pretrial intervention program.—

564 (7) (a) Notwithstanding any provision of this section, a
565 person who is charged with a felony, other than a felony listed
566 in s. 948.06(8)(c), and identified as a servicemember, as
567 defined in s. 250.01, or veteran, as defined in s. 1.01, who
568 suffers from a military service-related mental illness,
569 traumatic brain injury, substance use disorder, or psychological
570 problem, is eligible for voluntary admission into a pretrial
571 veterans' treatment intervention program approved by the chief
572 judge of the circuit, upon motion of either party or the court's
573 own motion, except:

574 1. If a defendant was previously offered admission to a
575 pretrial veterans' treatment intervention program at any time
576 before trial and the defendant rejected that offer on the
577 record, the court may deny the defendant's admission to such a
578 program.

579 2. If a defendant previously entered a court-ordered
580 veterans' treatment program, the court may deny the defendant's

2012922e1

581 admission into the pretrial veterans' treatment program.

582 (b) While enrolled in a pretrial intervention program
583 authorized by this subsection, the participant shall be subject
584 to a coordinated strategy developed by a veterans' treatment
585 intervention team. The coordinated strategy should be modeled
586 after the therapeutic jurisprudence principles and key
587 components in s. 397.334(4), with treatment specific to the
588 needs of servicemembers and veterans. The coordinated strategy
589 may include a protocol of sanctions that may be imposed upon the
590 participant for noncompliance with program rules. The protocol
591 of sanctions may include, but need not be limited to, placement
592 in a treatment program offered by a licensed service provider or
593 in a jail-based treatment program or serving a period of
594 incarceration within the time limits established for contempt of
595 court. The coordinated strategy must be provided in writing to
596 the participant before the participant agrees to enter into a
597 pretrial veterans' treatment intervention program or other
598 pretrial intervention program. Any person whose charges are
599 dismissed after successful completion of the pretrial veterans'
600 treatment intervention program, if otherwise eligible, may have
601 his or her arrest record to the dismissed charges expunged under
602 s. 943.0585.

603 (c) At the end of the pretrial intervention period, the
604 court shall consider the recommendation of the treatment program
605 and the recommendation of the state attorney as to disposition
606 of the pending charges. The court shall determine, by written
607 finding, whether the defendant has successfully completed the
608 pretrial intervention program. If the court finds that the
609 defendant has not successfully completed the pretrial

2012922e1

610 intervention program, the court may order the person to continue
611 in education and treatment, which may include treatment programs
612 offered by licensed service providers or jail-based treatment
613 programs, or order that the charges revert to normal channels
614 for prosecution. The court shall dismiss the charges upon a
615 finding that the defendant has successfully completed the
616 pretrial intervention program.

617 Section 11. Section 948.16, Florida Statutes, is amended to
618 read:

619 948.16 Misdemeanor pretrial substance abuse education and
620 treatment intervention program; misdemeanor pretrial veterans'
621 treatment intervention program.-

622 (1) (a) A person who is charged with a misdemeanor for
623 possession of a controlled substance or drug paraphernalia under
624 chapter 893, and who has not previously been convicted of a
625 felony nor been admitted to a pretrial program, is eligible for
626 voluntary admission into a misdemeanor pretrial substance abuse
627 education and treatment intervention program, including a
628 treatment-based drug court program established pursuant to s.
629 397.334, approved by the chief judge of the circuit, for a
630 period based on the program requirements and the treatment plan
631 for the offender, upon motion of either party or the court's own
632 motion, except, if the state attorney believes the facts and
633 circumstances of the case suggest the defendant is involved in
634 dealing and selling controlled substances, the court shall hold
635 a preadmission hearing. If the state attorney establishes, by a
636 preponderance of the evidence at such hearing, that the
637 defendant was involved in dealing or selling controlled
638 substances, the court shall deny the defendant's admission into

2012922e1

639 the pretrial intervention program.

640 (b) While enrolled in a pretrial intervention program
641 authorized by this section, the participant is subject to a
642 coordinated strategy developed by a drug court team under s.
643 397.334(4). The coordinated strategy may include a protocol of
644 sanctions that may be imposed upon the participant for
645 noncompliance with program rules. The protocol of sanctions may
646 include, but is not limited to, placement in a substance abuse
647 treatment program offered by a licensed service provider as
648 defined in s. 397.311 or in a jail-based treatment program or
649 serving a period of incarceration within the time limits
650 established for contempt of court. The coordinated strategy must
651 be provided in writing to the participant before the participant
652 agrees to enter into a pretrial treatment-based drug court
653 program or other pretrial intervention program. Any person whose
654 charges are dismissed after successful completion of the
655 treatment-based drug court program, if otherwise eligible, may
656 have his or her arrest record and plea of nolo contendere to the
657 dismissed charges expunged under s. 943.0585.

658 (2) (a) A servicemember, as defined in s. 250.01, or
659 veteran, as defined in s. 1.01, who suffers from a military
660 service-related mental illness, traumatic brain injury,
661 substance use disorder, or psychological problem, and who is
662 charged with a misdemeanor is eligible for voluntary admission
663 into a misdemeanor pretrial veterans' treatment intervention
664 program approved by the chief judge of the circuit, for a period
665 based on the program's requirements and the treatment plan for
666 the offender, upon motion of either party or the court's own
667 motion. However, the court may deny the defendant admission into

2012922e1

668 a misdemeanor pretrial veterans' treatment intervention program
669 if the defendant has previously entered a court-ordered
670 veterans' treatment program.

671 (b) While enrolled in a pretrial intervention program
672 authorized by this section, the participant shall be subject to
673 a coordinated strategy developed by a veterans' treatment
674 intervention team. The coordinated strategy should be modeled
675 after the therapeutic jurisprudence principles and key
676 components in s. 397.334(4), with treatment specific to the
677 needs of servicemembers and veterans. The coordinated strategy
678 may include a protocol of sanctions that may be imposed upon the
679 participant for noncompliance with program rules. The protocol
680 of sanctions may include, but need not be limited to, placement
681 in a treatment program offered by a licensed service provider or
682 in a jail-based treatment program or serving a period of
683 incarceration within the time limits established for contempt of
684 court. The coordinated strategy must be provided in writing to
685 the participant before the participant agrees to enter into a
686 misdemeanor pretrial veterans' treatment intervention program or
687 other pretrial intervention program. Any person whose charges
688 are dismissed after successful completion of the misdemeanor
689 pretrial veterans' treatment intervention program, if otherwise
690 eligible, may have his or her arrest record to the dismissed
691 charges expunged under s. 943.0585.

692 (3)~~(2)~~ At the end of the pretrial intervention period, the
693 court shall consider the recommendation of the treatment program
694 and the recommendation of the state attorney as to disposition
695 of the pending charges. The court shall determine, by written
696 finding, whether the defendant successfully completed the

2012922e1

697 pretrial intervention program. Notwithstanding the coordinated
698 strategy developed by a drug court team pursuant to s.
699 397.334(4) or by the veterans' treatment intervention team, if
700 the court finds that the defendant has not successfully
701 completed the pretrial intervention program, the court may order
702 the person to continue in education and treatment or return the
703 charges to the criminal docket for prosecution. The court shall
704 dismiss the charges upon finding that the defendant has
705 successfully completed the pretrial intervention program.

706 ~~(4)(3)~~ Any public or private entity providing a pretrial
707 substance abuse education and treatment program under this
708 section shall contract with the county or appropriate
709 governmental entity. The terms of the contract shall include,
710 but not be limited to, the requirements established for private
711 entities under s. 948.15(3). This requirement does not apply to
712 services provided by the Department of Veterans' Affairs or the
713 United States Department of Veterans Affairs.

714 Section 12. Section 948.21, Florida Statutes, is created to
715 read:

716 948.21 Condition of probation or community control;
717 military servicemembers and veterans.—Effective for a
718 probationer or community controllee whose crime was committed on
719 or after July 1, 2012, and who is a servicemember, as defined in
720 s. 250.01, or veteran, as defined in s. 1.01, who suffers from a
721 military service-related mental illness, traumatic brain injury,
722 substance use disorder, or psychological problem, the court may,
723 in addition to any other conditions imposed, impose a condition
724 requiring the probationer or community controllee to participate
725 in a treatment program capable of treating the probationer or

2012922e1

726 community controllee's mental illness, traumatic brain injury,
727 substance use disorder, or psychological problem. The court
728 shall give preference to treatment programs for which the
729 probationer or community controllee is eligible through the
730 Department of Veterans' Affairs or the United States Department
731 of Veterans' Affairs.

732 Section 13. Subsection (1) of section 1003.05, Florida
733 Statutes, is amended to read:

734 1003.05 Assistance to transitioning students from military
735 families.—

736 (1) The Legislature finds that school-aged dependents of
737 military personnel, otherwise known as military students, are
738 faced with numerous transitions during their formative years and
739 that moves during the high school years provide special
740 challenges to learning and future achievement.

741 (a) Recognizing the challenges faced by military students
742 and the importance of military families to our community and
743 economy, the Department of Education shall assist the transition
744 of these students by improving the timely transfer of records,
745 developing systems to ease student transition during the first 2
746 weeks of enrollment, promoting practices which foster access to
747 extracurricular programs, establishing procedures to lessen the
748 adverse impact of moves from the end of the junior year as well
749 as before and during the senior year, encouraging or continuing
750 partnerships between the military base and the school system,
751 providing services for transitioning students when applying to
752 and finding funding for postsecondary study, and providing other
753 assistance as identified by department, school, and military
754 personnel.

2012922e1

755 (b) If a local school board adjusts school zones within its
756 boundaries, military students shall be given the option of
757 remaining at the school they are currently attending or may
758 attend the school assigned as a result of the rezoning.

759 Section 14. Section 1004.075, Florida Statutes, is created
760 to read:

761 1004.075 Priority course registration for veterans.—Each
762 Florida College System institution and state university that
763 offers priority course registration for a segment of the student
764 population, or upon implementation of priority course
765 registration for a segment of the student population, shall
766 provide priority course registration for each veteran of the
767 United States Armed Forces. Priority registration shall be given
768 to the spouse or a dependent child of the veteran to whom GI
769 Bill educational benefits have been transferred. Each eligible
770 veteran shall be granted priority for course registration for
771 the duration of his or her attendance at a Florida College
772 System institution and state university if priority registration
773 is offered. A spouse or dependent child shall also be granted
774 priority for registration until the expiration of the GI Bill
775 educational benefits.

776 Section 15. Section 1005.09, Florida Statutes, is created
777 to read:

778 1005.09 Priority course registration for veterans.—Each
779 independent postsecondary educational institution that is under
780 the jurisdiction of the commission or is exempt from the
781 jurisdiction of the commission and that offers priority course
782 registration for a segment of the student population, or upon
783 implementation of priority course registration for a segment of

2012922e1

784 the student population, is encouraged to provide priority course
785 registration for each veteran of the United States Armed Forces,
786 or his or her spouse or dependent children, who is receiving GI
787 Bill educational benefits, in accordance with s. 1004.075.

788 Section 16. Present paragraphs (c) through (k) of
789 subsection (10) of section 1009.21, Florida Statutes, are
790 redesignated as paragraphs (d) through (l), respectively, and a
791 new paragraph (c) is added to that subsection, to read:

792 1009.21 Determination of resident status for tuition
793 purposes.—Students shall be classified as residents or
794 nonresidents for the purpose of assessing tuition in
795 postsecondary educational programs offered by charter technical
796 career centers or career centers operated by school districts,
797 in Florida College System institutions, and in state
798 universities.

799 (10) The following persons shall be classified as residents
800 for tuition purposes:

801 (c) Veterans of the Armed Services of the United States,
802 including reserve components thereof, who attend the physical
803 location of a public college, university, or institution of
804 higher learning within the state.

805 Section 17. SP4 Thomas Berry Corbin Memorial Highway
806 designated; Department of Transportation to erect suitable
807 markers.—

808 (1) That portion of U.S. Highway 19/27A/98/State Road 55
809 between the Suwannee River Bridge and N.E. 592nd Street/Chavous
810 Road/Kate Green Road in Dixie County is designated as "SP4
811 Thomas Berry Corbin Memorial Highway."

812 (2) The Department of Transportation is directed to erect

2012922e1

813 suitable markers designating SP4 Thomas Berry Corbin Memorial
814 Highway as described in subsection (1).

815 Section 18. U.S. Navy BMC Samuel Calhoun Chavous, Jr.,
816 Memorial Highway designated; Department of Transportation to
817 erect suitable markers.-

818 (1) That portion of U.S. Highway 19/98/State Road 55
819 between N.E. 592nd Street/Chavous Road/Kate Green Road and N.E.
820 170th Street in Dixie County is designated as "U.S. Navy BMC
821 Samuel Calhoun Chavous, Jr., Memorial Highway."

822 (2) The Department of Transportation is directed to erect
823 suitable markers designating U.S. Navy BMC Samuel Calhoun
824 Chavous, Jr., Memorial Highway as described in subsection (1).

825 Section 19. Marine Lance Corporal Brian R. Buesing Memorial
826 Highway designated; Department of Transportation to erect
827 suitable markers.-

828 (1) That portion of State Road 24 between County Road 347
829 and Bridge Number 340053 in Levy County is designated as "Marine
830 Lance Corporal Brian R. Buesing Memorial Highway."

831 (2) The Department of Transportation is directed to erect
832 suitable markers designating Marine Lance Corporal Brian R.
833 Buesing Memorial Highway as described in subsection (1).

834 Section 20. United States Army Sergeant Karl A. Campbell
835 Memorial Highway designated; Department of Transportation to
836 erect suitable markers.-

837 (1) That portion of U.S. Highway 19/98/State Road 55/S.
838 Main Street between N.W. 1st Avenue and S.E. 2nd Avenue in Levy
839 County is designated as "United States Army Sergeant Karl A.
840 Campbell Memorial Highway."

841 (2) The Department of Transportation is directed to erect

2012922e1

842 suitable markers designating United States Army Sergeant Karl A.
843 Campbell Memorial Highway as described in subsection (1).

844 Section 21. U.S. Army SPC James A. Page Memorial Highway
845 designated; Department of Transportation to erect suitable
846 markers.-

847 (1) That portion of U.S. Highway 27A/State Road
848 500/Hathaway Avenue between State Road 24/Thrasher Drive and
849 Town Court in Levy County is designated as "U.S. Army SPC James
850 A. Page Memorial Highway."

851 (2) The Department of Transportation is directed to erect
852 suitable markers designating U.S. Army SPC James A. Page
853 Memorial Highway as described in subsection (1).

854 Section 22. USS Stark Memorial Drive designated; Department
855 of Transportation to erect suitable markers.-

856 (1) That portion of State Road 101/Mayoport Road between
857 State Road A1A and Wonderwood Connector in Duval County is
858 designated as "USS Stark Memorial Drive."

859 (2) The Department of Transportation is directed to erect
860 suitable markers designating USS Stark Memorial Drive as
861 described in subsection (1).

862 Section 23. Captain Jim Reynolds, Jr., USAF "Malibu" Road
863 designated; Department of Transportation to erect suitable
864 markers.-

865 (1) That portion of State Road 44 in Lake County between
866 U.S. Highway 441 and State Road 44/East Orange Avenue near
867 Eustis is designated as "Captain Jim Reynolds, Jr., USAF
868 'Malibu' Road."

869 (2) The Department of Transportation is directed to erect
870 suitable markers designating Captain Jim Reynolds, Jr., USAF

2012922e1

871 "Malibu" Road as described in subsection (1).

872 Section 24. Veterans Memorial Highway designated;
873 Department of Transportation to erect suitable markers.-

874 (1) That portion of State Road 19 in Putnam County between
875 U.S. 17/State Road 15 and Carriage Drive is designated as
876 "Veterans Memorial Highway."

877 (2) The Department of Transportation is directed to erect
878 suitable markers designating Veterans Memorial Highway as
879 described in subsection (1).

880 Section 25. U.S. Army Sergeant Robert Daniel Sanchez
881 Memorial Highway designated; Department of Transportation to
882 erect suitable markers.-

883 (1) That portion of State Road 513 between Banana River
884 Drive and Eau Gallie Boulevard in Brevard County is designated
885 as "U.S. Army Sergeant Robert Daniel Sanchez Memorial Highway."

886 (2) The Department of Transportation is directed to erect
887 suitable markers designating U.S. Army Sergeant Robert Daniel
888 Sanchez Memorial Highway as described in subsection (1).

889 Section 26. U.S. Marine Corps Corporal Dustin Schrage
890 Highway designated; Department of Transportation to erect
891 suitable markers.-

892 (1) That portion of State Road A1A between Pinetree Drive
893 and Eau Gallie Boulevard in Brevard County is designated as
894 "U.S. Marine Corps Corporal Dustin Schrage Highway."

895 (2) The Department of Transportation is directed to erect
896 suitable markers designating U.S. Marine Corps Corporal Dustin
897 Schrage Highway as described in subsection (1).

898 Section 27. Purple Heart Memorial Highway designated;
899 Department of Transportation to erect suitable markers.-

2012922e1

900 (1) That portion of State Road 20/John Sims Parkway (57-
901 040-000) between State Road 85 and the Walton County Line in
902 Okaloosa County is designated as "Purple Heart Memorial
903 Highway."

904 (2) The Department of Transportation is directed to erect
905 suitable markers designating Purple Heart Memorial Highway as
906 described in subsection (1).

907 Section 28. Except as otherwise expressly provided in this
908 act, this act shall take effect July 1, 2012.