

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Nelson offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. This act may be cited as the "T. Patt Maney
8 Military Veterans and Servicemembers Court Act."

9 Section 2. Section 394.48, Florida Statutes, is created to
10 read:

11 394.48 Military veterans and servicemembers court
12 programs.-- The chief judge of each judicial circuit may
13 establish a Military Veterans and Servicemembers Court Program
14 under which veterans, as defined in s. 1.01, and servicemembers,
15 as defined in s. 250.01, who are convicted of a criminal offense
16 and who suffer from a mental illness, traumatic brain injury, or
17 substance abuse disorder as a result of their military service
18 can be sentenced in accordance with ch. 921 in a manner that
19 appropriately addresses the severity of the mental illness,

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20 traumatic brain injury, or substance abuse disorder through
21 services tailored to the individual needs of the participant.
22 Entry into any Military Veterans and Servicemembers Court
23 Program must be based upon the sentencing court's assessment of
24 the defendant's criminal history, military service, substance
25 abuse treatment needs, mental health treatment needs,
26 amenability to the services of the program, the recommendation
27 of the state attorney and the victim, if any, and the
28 defendant's agreement to enter the program.

29 Section 3. Section 948.21, Florida Statutes, is created to
30 read:

31 948.21 Condition of probation or community control;
32 military servicemembers and veterans.-- Effective for a
33 probationer or community controllee whose crime was committed on
34 or after July 1, 2012, and who is a servicemember, as defined in
35 s. 250.01, or veteran, as defined in s. 1.01, who suffers from a
36 military service-related mental illness, traumatic brain injury,
37 or substance abuse disorder, the court may, in addition to any
38 other conditions imposed, impose a condition requiring the
39 probationer or community controllee to participate in a
40 treatment program capable of treating the probationer or
41 community controllee's mental illness, traumatic brain injury,
42 or substance abuse disorder. The court shall give preference to
43 treatment programs for which the probationer or community
44 controllee is eligible through the United States Department of
45 Veterans Affairs or the Florida Department of Veterans' Affairs.

46 Section 4. This act shall take effect July 1, 2012.
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T I T L E A M E N D M E N T

Remove the entire title and insert:

An act relating to veterans and servicemembers; citing the act the "T. Patt Maney Military Veterans and Servicemembers Court Act;" creating s. 394.48, F.S.; authorizing the chief judge of each judicial circuit to establish a Military Veterans and Servicemembers Court Program for specified veterans and servicemembers; providing criteria for entry into the program; creating s. 948.21, F.S.; authorizing a judge to impose a condition of supervision upon specified probationers and community controllees requiring such person to participate in a treatment program; requiring the court to give preference to certain treatment programs; providing an effective date.