

1 A bill to be entitled
 2 An act relating to veterans and servicemembers;
 3 providing a short title; creating s. 394.48, F.S.;
 4 authorizing the chief judge of each judicial circuit
 5 to establish a Military Veterans and Servicemembers
 6 Court Program for specified veterans and
 7 servicemembers; providing criteria for entry into the
 8 program; creating s. 948.21, F.S.; authorizing a judge
 9 to impose a condition of supervision upon specified
 10 probationers and community controllees requiring such
 11 person to participate in a treatment program;
 12 requiring the court to give preference to certain
 13 treatment programs; providing an effective date.

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

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

19 Section 2. Section 394.48, Florida Statutes, is created to
 20 read:

21 394.48 Military veterans and servicemembers court
 22 programs.—The chief judge of each judicial circuit may establish
 23 a Military Veterans and Servicemembers Court Program under which
 24 veterans, as defined in s. 1.01, and servicemembers, as defined
 25 in s. 250.01, who are convicted of a criminal offense and who
 26 suffer from a mental illness, traumatic brain injury, or
 27 substance abuse disorder as a result of their military service
 28 can be sentenced in accordance with chapter 921 in a manner that

29 appropriately addresses the severity of the mental illness,
 30 traumatic brain injury, or substance abuse disorder through
 31 services tailored to the individual needs of the participant.
 32 Entry into any Military Veterans and Servicemembers Court
 33 Program must be based upon the sentencing court's assessment of
 34 the defendant's criminal history, military service, substance
 35 abuse treatment needs, mental health treatment needs,
 36 amenability to the services of the program, the recommendation
 37 of the state attorney and the victim, if any, and the
 38 defendant's agreement to enter the program.

39 Section 3. Section 948.21, Florida Statutes, is created to
 40 read:

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

56 Section 4. This act shall take effect July 1, 2012.