

By Senator Bennett

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1                                   A bill to be entitled  
2           An act relating to current and former military  
3           personnel; amending s. 295.187, F.S.; revising  
4           legislative intent; renaming and revising the Florida  
5           Service-Disabled Veteran Business Enterprise  
6           Opportunity Act to expand the vendor preference in  
7           state contracting to include certain businesses owned  
8           and operated by wartime veterans or veterans of a  
9           period of war; amending s. 320.089, F.S.; providing  
10          for the issuance of a Combat Infantry Badge license  
11          plate; providing qualifications and requirements for  
12          the plate; providing for the use of proceeds from the  
13          sale of the plate; creating s. 683.146, F.S.;  
14          designating August 7 of each year as "Purple Heart  
15          Day"; providing a short title; creating s. 921.00242,  
16          F.S.; providing that a person who alleges that he or  
17          she committed a criminal offense as a result of  
18          posttraumatic stress disorder, traumatic brain injury,  
19          substance use disorder, or psychological problems  
20          stemming from service in a combat theater in the  
21          United States military may have a hearing on that  
22          issue before sentencing; providing that a defendant  
23          who is eligible for probation or community control may  
24          be placed in a treatment program in certain  
25          circumstances; providing for sentence credit for a  
26          defendant placed in treatment who would have otherwise  
27          been incarcerated; providing a preference for  
28          treatment programs that have histories of successfully  
29          treating such combat veterans; amending s. 948.08,

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30 F.S.; creating a pretrial veterans' treatment  
31 intervention program; providing requirements for a  
32 defendant to be voluntarily admitted to the pretrial  
33 program; providing certain exceptions to such  
34 admission; providing for the disposition of pending  
35 charges following a defendant's completion of the  
36 pretrial intervention program; providing for the  
37 charges to be expunged under certain circumstances;  
38 amending s. 948.16, F.S.; creating a misdemeanor  
39 pretrial veterans' treatment intervention program;  
40 providing requirements for voluntary admission to the  
41 misdemeanor pretrial program; providing for the  
42 misdemeanor charges to be expunged under certain  
43 circumstances; exempting treatment services provided  
44 by the Department of Veterans' Affairs or the United  
45 States Department of Veterans Affairs from certain  
46 contract requirements; amending s. 1003.05, F.S.;  
47 requiring that a school board provide an option to  
48 school-aged dependents of military personnel to choose  
49 certain schools if the student is reassigned as a  
50 result of school rezoning; creating s. 1004.075, F.S.;  
51 requiring certain Florida College System institutions  
52 and state universities to provide priority course  
53 registration for veterans; providing eligibility  
54 requirements; creating s. 1005.09, F.S.; encouraging  
55 certain independent postsecondary educational  
56 institutions to provide priority course registration  
57 for veterans; amending s. 1009.21, F.S.; providing  
58 that veterans of the Armed Services of the United

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59 States, including reserve components thereof, who  
60 attend the physical location of a public college,  
61 university, or institution of higher learning within  
62 the state are residents for tuition purposes;  
63 requiring that any veteran who meets specified  
64 criteria be admitted to any Florida College System  
65 institution or state university of the veteran's  
66 choice; providing effective dates.

67  
68 Be It Enacted by the Legislature of the State of Florida:

69  
70 Section 1. Section 295.187, Florida Statutes, is amended to  
71 read:

72 295.187 Florida ~~Service-Disabled~~ Veteran Business  
73 Enterprise Opportunity Act.-

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

76 (2) INTENT.-It is the intent of the Legislature to rectify  
77 the economic disadvantage of service-disabled veterans, who are  
78 statistically the least likely to be self-employed when compared  
79 to the veteran population as a whole and who have made  
80 extraordinary sacrifices on behalf of the nation, the state, and  
81 the public, by providing opportunities for service-disabled  
82 veteran business enterprises as set forth in this section. The  
83 Legislature also intends to recognize wartime veterans and  
84 veterans of a period of war for their sacrifices as set forth in  
85 this section.

86 (3) DEFINITIONS.-For the purpose of this section, the term:

87 (a) "Certified ~~service-disabled~~ veteran business

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88 enterprise" means a business that has been certified by the  
89 Department of Management Services to be a ~~service-disabled~~  
90 veteran business enterprise as defined in paragraph (c).

91 (b) "Service-disabled veteran" means a veteran who is a  
92 permanent Florida resident with a service-connected disability  
93 as determined by the United States Department of Veterans  
94 Affairs or who has been terminated from military service by  
95 reason of disability by the United States Department of Defense.

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

98 1. Employs 200 or fewer permanent full-time employees;

99 2. Together with its affiliates has a net worth of \$5  
100 million or less or, if a sole proprietorship, has a net worth of  
101 \$5 million or less including both personal and business  
102 investments;

103 3. Is organized to engage in commercial transactions;

104 4. Is domiciled in this state;

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

107 6. The management and daily business operations of which  
108 are controlled by one or more wartime veterans or service-  
109 disabled veterans or, for a service-disabled veteran having with  
110 a permanent and total disability, by the spouse or permanent  
111 caregiver of the veteran.

112 (d) "Wartime veteran" means:

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

114 2. A veteran of a period of war, as used in 38 U.S.C. s.

115 1521, who served in the active military, naval, or air service:

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

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

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

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

123 (4) VENDOR PREFERENCE.—

124 (a) A state agency, when considering two or more bids,  
125 proposals, or replies for the procurement of commodities or  
126 contractual services, at least one of which is from a certified  
127 ~~service-disabled~~ veteran business enterprise, which ~~that~~ are  
128 equal with respect to all relevant considerations, including  
129 price, quality, and service, shall award such procurement or  
130 contract to the certified ~~service-disabled~~ veteran business  
131 enterprise.

132 (b) Notwithstanding s. 287.057(11), if a ~~service-disabled~~  
133 veteran business enterprise entitled to the vendor preference  
134 under this section and one or more businesses entitled to this  
135 preference or another vendor preference provided by law submit  
136 bids, proposals, or replies for procurement of commodities or  
137 contractual services which ~~that~~ are equal with respect to all  
138 relevant considerations, including price, quality, and service,  
139 ~~then~~ the state agency shall award the procurement or contract to  
140 the business having the smallest net worth.

141 (c) Political subdivisions of the state are encouraged to  
142 offer a similar consideration to businesses certified under this  
143 section.

144 (5) CERTIFICATION PROCEDURE.—

145 (a) The application for certification as a ~~service-disabled~~

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146 veteran business enterprise must, at a minimum, include:

147 1. The name of the business enterprise applying for  
148 certification and the name of the ~~service-disabled~~ veteran  
149 submitting the application on behalf of the business enterprise.

150 2. The names of all owners of the business enterprise,  
151 including owners who are wartime veterans, service-disabled  
152 veterans, and owners who are not a wartime veteran or a service-  
153 disabled veteran ~~veterans~~, and the percentage of ownership  
154 interest held by each owner.

155 3. The names of all persons involved in both the management  
156 and daily operations of the business, including the spouse or  
157 permanent caregiver of a veteran who has ~~with~~ a permanent and  
158 total disability.

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

163 5. Documentation of the wartime service of all persons  
164 listed under subparagraphs 1., 2., and 3., as applicable, from  
165 the United States Department of Veterans Affairs or the United  
166 States Department of Defense.

167 ~~6.5.~~ The number of permanent full-time employees.

168 ~~7.6.~~ The location of the business headquarters.

169 ~~8.7.~~ The total net worth of the business enterprise and its  
170 affiliates. In the case of a sole proprietorship, the net worth  
171 includes personal and business investments.

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

174 (c) ~~The provisions of Chapter 120,~~ relating to application,

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175 denial, and revocation procedures, applies ~~shall apply~~ to  
176 certifications under this section.

177 (d) A certified ~~service-disabled~~ veteran business  
178 enterprise must notify the Department of Management Services  
179 within 30 business days after any event that may significantly  
180 affect the certification of the business, including, but not  
181 limited to, a change in ownership or change in management and  
182 daily business operations.

183 (e) The certification of a ~~service-disabled~~ veteran  
184 business enterprise shall be revoked for 12 months if the  
185 Department of Management Services determines that the business  
186 enterprise violated paragraph (d). An owner of a certified  
187 ~~service-disabled~~ veteran business enterprise whose certification  
188 is revoked may ~~is not permitted to~~ reapply for certification  
189 under this section as an owner of any business enterprise during  
190 the 12-month revocation period.

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

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

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

201 (a) Assist the Department of Management Services in  
202 establishing a certification procedure, which shall be reviewed  
203 biennially and updated as necessary.

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

207 (c) Encourage and assist eligible ~~service-disabled~~ veteran  
208 business enterprises to apply for certification under this  
209 section.

210 (d) Provide information regarding services that are  
211 available from the Office of Veterans' Business Outreach of the  
212 Florida Small Business Development Center to ~~service-disabled~~  
213 veteran business enterprises.

214 (7) DUTIES OF THE DEPARTMENT OF MANAGEMENT SERVICES.—The  
215 department shall:

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

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

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

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

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

231 Section 2. Effective October 1, 2012, section 320.089,  
232 Florida Statutes, is amended to read:

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233 320.089 Members of National Guard and active United States  
234 Armed Forces reservists; former prisoners of war; survivors of  
235 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi  
236 Freedom and Operation Enduring Freedom Veterans; Combat Infantry  
237 Badge recipients; special license plates; fee.—

238 (1) (a) Each owner or lessee of an automobile or truck for  
239 private use or recreational vehicle as specified in s.  
240 320.08(9) (c) or (d), which is not used for hire or commercial  
241 use, who is a resident of the state and an active or retired  
242 member of the Florida National Guard, a survivor of the attack  
243 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an  
244 active or retired member of any branch of the United States  
245 Armed Forces Reserve, or a recipient of the Combat Infantry  
246 Badge shall, upon application to the department, accompanied by  
247 proof of active membership or retired status in the Florida  
248 National Guard, proof of membership in the Pearl Harbor  
249 Survivors Association or proof of active military duty in Pearl  
250 Harbor on December 7, 1941, proof of being a Purple Heart medal  
251 recipient, ~~or~~ proof of active or retired membership in any  
252 branch of the Armed Forces Reserve, or proof of membership in  
253 the Combat Infantrymen's Association, Inc., or other proof of  
254 being a recipient of the Combat Infantry Badge, and upon payment  
255 of the license tax for the vehicle as provided in s. 320.08, be  
256 issued a license plate as provided by s. 320.06, upon which, in  
257 lieu of the serial numbers prescribed by s. 320.06, shall be  
258 stamped the words "National Guard," "Pearl Harbor Survivor,"  
259 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry  
260 Badge," as appropriate, followed by the serial number of the  
261 license plate. Additionally, the Purple Heart plate may have the

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262 words "Purple Heart" stamped on the plate and the likeness of  
263 the Purple Heart medal appearing on the plate.

264 (b) Notwithstanding any other provision of law to the  
265 contrary, beginning with fiscal year 2002-2003 and annually  
266 thereafter, the first \$100,000 in general revenue generated from  
267 the sale of license plates issued under this section shall be  
268 deposited into the Grants and Donations Trust Fund, as described  
269 in s. 296.38(2), to be used for the purposes established by law  
270 for that trust fund. Any additional general revenue generated  
271 from the sale of such plates shall be deposited into the State  
272 Homes for Veterans Trust Fund and used solely to construct,  
273 operate, and maintain domiciliary and nursing homes for  
274 veterans, subject to the requirements of chapter 216.

275 (c) Notwithstanding any provisions of law to the contrary,  
276 an applicant for a Pearl Harbor Survivor license plate or a  
277 Purple Heart license plate who also qualifies for a disabled  
278 veteran's license plate under s. 320.084 shall be issued the  
279 appropriate special license plate without payment of the license  
280 tax imposed by s. 320.08.

281 (2) Each owner or lessee of an automobile or truck for  
282 private use, truck weighing not more than 7,999 pounds, or  
283 recreational vehicle as specified in s. 320.08(9)(c) or (d),  
284 which is not used for hire or commercial use, who is a resident  
285 of the state and who is a former prisoner of war, or their  
286 unremarried surviving spouse, shall, upon application therefor  
287 to the department, be issued a license plate as provided in s.  
288 320.06, on which license plate are stamped the words "Ex-POW"  
289 followed by the serial number. Each application shall be  
290 accompanied by proof that the applicant meets the qualifications

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291 specified in paragraph (a) or paragraph (b).

292 (a) A citizen of the United States who served as a member  
293 of the Armed Forces of the United States or the armed forces of  
294 a nation allied with the United States who was held as a  
295 prisoner of war at such time as the Armed Forces of the United  
296 States were engaged in combat, or their unremarried surviving  
297 spouse, may be issued the special license plate provided for in  
298 this subsection without payment of the license tax imposed by s.  
299 320.08.

300 (b) A person who was serving as a civilian with the consent  
301 of the United States Government, or a person who was a member of  
302 the Armed Forces of the United States who was not a United  
303 States citizen and was held as a prisoner of war when the Armed  
304 Forces of the United States were engaged in combat, or their  
305 unremarried surviving spouse, may be issued the special license  
306 plate provided for in this subsection upon payment of the  
307 license tax imposed by s. 320.08.

308 (3) Each owner or lessee of an automobile or truck for  
309 private use, truck weighing not more than 7,999 pounds, or  
310 recreational vehicle as specified in s. 320.08(9)(c) or (d),  
311 which is not used for hire or commercial use, who is a resident  
312 of this state and who is the unremarried surviving spouse of a  
313 recipient of the Purple Heart medal shall, upon application  
314 therefor to the department, with the payment of the required  
315 fees, be issued a license plate as provided in s. 320.06, on  
316 which license plate are stamped the words "Purple Heart" and the  
317 likeness of the Purple Heart medal followed by the serial  
318 number. Each application shall be accompanied by proof that the  
319 applicant is the unremarried surviving spouse of a recipient of

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320 the Purple Heart medal.

321 (4) The owner or lessee of an automobile or truck for  
322 private use, a truck weighing not more than 7,999 pounds, or a  
323 recreational vehicle as specified in s. 320.08(9)(c) or (d)  
324 which automobile, truck, or recreational vehicle is not used for  
325 hire or commercial use who is a resident of the state and a  
326 current or former member of the United States military who was  
327 deployed and served in Iraq during Operation Iraqi Freedom or in  
328 Afghanistan during Operation Enduring Freedom shall, upon  
329 application to the department, accompanied by proof of active  
330 membership or former active duty status during one of these  
331 operations, and upon payment of the license tax for the vehicle  
332 as provided in s. 320.08, be issued a license plate as provided  
333 by s. 320.06 upon which, in lieu of the registration license  
334 number prescribed by s. 320.06, shall be stamped the words  
335 "Operation Iraqi Freedom" or "Operation Enduring Freedom," as  
336 appropriate, followed by the registration license number of the  
337 plate.

338 Section 3. Section 683.146, Florida Statutes, is created to  
339 read:

340 683.146 Purple Heart Day.—

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

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

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349       Section 4. Sections 4 through 7 of this act may be cited as  
350 the "T. Patt Maney Veterans' Treatment Intervention Act."

351       Section 5. Section 921.00242, Florida Statutes, is created  
352 to read:

353       921.00242 Convicted military veterans; posttraumatic stress  
354 disorder, traumatic brain injury, substance use disorder, or  
355 psychological problems from service; treatment services.-

356       (1) The court must hold a veterans' status hearing prior to  
357 sentencing for a criminal offense if the defendant has alleged  
358 that he or she committed the offense as a result of  
359 posttraumatic stress disorder, traumatic brain injury, substance  
360 use disorder, or psychological problems stemming from service in  
361 a combat theater in the United States military.

362       (2) At a veterans' status hearing conducted as required by  
363 subsection (1), the court shall determine whether the defendant  
364 was a member of the military forces of the United States who  
365 served in a combat theater and assess whether the defendant  
366 suffers from posttraumatic stress disorder, traumatic brain  
367 injury, substance use disorder, or psychological problems as a  
368 result of that service. The defendant shall bear the burden of  
369 proof at the hearing.

370       (3) If the court concludes that the defendant is a person  
371 described in subsection (2) who is eligible for probation or  
372 community control and the court places the defendant on county  
373 or state probation or into community control, the court may  
374 order the defendant into a local, state, federal, or private  
375 nonprofit treatment program as a condition of probation or  
376 community control if the defendant agrees to participate in the  
377 program and the court determines that an appropriate treatment

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378 program exists.

379 (4) A defendant who is placed on county or state probation  
380 or into community control and committed to a residential  
381 treatment program under this section shall earn sentence credits  
382 for the actual time he or she serves in the residential  
383 treatment program if the court makes a written finding that it  
384 would otherwise have sentenced the defendant to incarceration  
385 except for the fact that the defendant is a person described in  
386 subsection (2).

387 (5) In making an order under this section to commit a  
388 defendant to a treatment program, whenever possible the court  
389 shall place the defendant in a treatment program that has a  
390 history of successfully treating combat veterans who suffer from  
391 posttraumatic stress disorder, traumatic brain injury, substance  
392 use disorder, or psychological problems as a result of that  
393 service. The court shall give preference to treatment programs  
394 for which the veteran is eligible through the United States  
395 Department of Veterans Affairs or the Department of Veterans'  
396 Affairs.

397 Section 6. Present subsection (7) of section 948.08,  
398 Florida Statutes, is renumbered as subsection (8), and a new  
399 subsection (7) is added to that section, to read:

400 948.08 Pretrial intervention program.—

401 (7) (a) A person who is charged with a felony, other than a  
402 felony listed in s. 948.06(8)(c), and identified as a member or  
403 former member of the military forces of the United States who  
404 served in a combat theater and who suffers from posttraumatic  
405 stress disorder, traumatic brain injury, substance use disorder,  
406 or psychological problems as a result of that service is

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407 eligible for voluntary admission into a pretrial veterans'  
408 treatment intervention program approved by the chief judge of  
409 the circuit, upon motion of either party or the court's own  
410 motion, except:

411 1. If a defendant was previously offered admission to a  
412 pretrial veterans' treatment intervention program at any time  
413 prior to trial and the defendant rejected that offer on the  
414 record, the court may deny the defendant's admission to such a  
415 program.

416 2. If a defendant previously entered a court-ordered  
417 veterans' treatment program, the court may deny the defendant's  
418 admission into the pretrial veterans' treatment program.

419 3. If the state attorney believes that the facts and  
420 circumstances of the case suggest the defendant's involvement in  
421 the selling of controlled substances, the court shall hold a  
422 preadmission hearing. If the state attorney establishes, by a  
423 preponderance of the evidence at such hearing, that the  
424 defendant was involved in the selling of controlled substances,  
425 the court shall deny the defendant's admission into a pretrial  
426 intervention program.

427 (b) While enrolled in a pretrial intervention program  
428 authorized by this subsection, the participant shall be subject  
429 to a coordinated strategy developed by a veterans' treatment  
430 intervention team. The coordinated strategy should be modeled  
431 after the therapeutic jurisprudence principles and key  
432 components in s. 397.334(4), with treatment specific to the  
433 needs of veterans. The coordinated strategy may include a  
434 protocol of sanctions that may be imposed upon the participant  
435 for noncompliance with program rules. The protocol of sanctions

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436 may include, but need not be limited to, placement in a  
437 treatment program offered by a licensed service provider or in a  
438 jail-based treatment program or serving a period of  
439 incarceration within the time limits established for contempt of  
440 court. The coordinated strategy must be provided in writing to  
441 the participant before the participant agrees to enter into a  
442 pretrial veterans' treatment intervention program or other  
443 pretrial intervention program. Any person whose charges are  
444 dismissed after successful completion of the pretrial veterans'  
445 treatment intervention program, if otherwise eligible, may have  
446 his or her arrest record and plea of nolo contendere to the  
447 dismissed charges expunged under s. 943.0585.

448 (c) At the end of the pretrial intervention period, the  
449 court shall consider the recommendation of the administrator  
450 pursuant to subsection (5) and the recommendation of the state  
451 attorney as to disposition of the pending charges. The court  
452 shall determine, by written finding, whether the defendant has  
453 successfully completed the pretrial intervention program. If the  
454 court finds that the defendant has not successfully completed  
455 the pretrial intervention program, the court may order the  
456 person to continue in education and treatment, which may include  
457 treatment programs offered by licensed service providers or  
458 jail-based treatment programs, or order that the charges revert  
459 to normal channels for prosecution. The court shall dismiss the  
460 charges upon a finding that the defendant has successfully  
461 completed the pretrial intervention program.

462 Section 7. Section 948.16, Florida Statutes, is amended to  
463 read:

464 948.16 Misdemeanor pretrial substance abuse education and

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465 treatment intervention program; misdemeanor pretrial veterans'  
466 treatment intervention program.—

467 (1) (a) A person who is charged with a misdemeanor for  
468 possession of a controlled substance or drug paraphernalia under  
469 chapter 893, and who has not previously been convicted of a  
470 felony nor been admitted to a pretrial program, is eligible for  
471 voluntary admission into a misdemeanor pretrial substance abuse  
472 education and treatment intervention program, including a  
473 treatment-based drug court program established pursuant to s.  
474 397.334, approved by the chief judge of the circuit, for a  
475 period based on the program requirements and the treatment plan  
476 for the offender, upon motion of either party or the court's own  
477 motion, except, if the state attorney believes the facts and  
478 circumstances of the case suggest the defendant is involved in  
479 dealing and selling controlled substances, the court shall hold  
480 a preadmission hearing. If the state attorney establishes, by a  
481 preponderance of the evidence at such hearing, that the  
482 defendant was involved in dealing or selling controlled  
483 substances, the court shall deny the defendant's admission into  
484 the pretrial intervention program.

485 (b) While enrolled in a pretrial intervention program  
486 authorized by this section, the participant is subject to a  
487 coordinated strategy developed by a drug court team under s.  
488 397.334(4). The coordinated strategy may include a protocol of  
489 sanctions that may be imposed upon the participant for  
490 noncompliance with program rules. The protocol of sanctions may  
491 include, but is not limited to, placement in a substance abuse  
492 treatment program offered by a licensed service provider as  
493 defined in s. 397.311 or in a jail-based treatment program or

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494 serving a period of incarceration within the time limits  
495 established for contempt of court. The coordinated strategy must  
496 be provided in writing to the participant before the participant  
497 agrees to enter into a pretrial treatment-based drug court  
498 program or other pretrial intervention program. Any person whose  
499 charges are dismissed after successful completion of the  
500 treatment-based drug court program, if otherwise eligible, may  
501 have his or her arrest record and plea of nolo contendere to the  
502 dismissed charges expunged under s. 943.0585.

503 (2) (a) A member or former member of the military forces of  
504 the United States who served in a combat theater and who suffers  
505 from posttraumatic stress disorder, traumatic brain injury,  
506 substance use disorder, or psychological problems as a result of  
507 that service who is charged with a misdemeanor is eligible for  
508 voluntary admission into a misdemeanor pretrial veterans'  
509 treatment intervention program approved by the chief judge of  
510 the circuit, for a period based on the program requirements and  
511 the treatment plan for the offender, upon motion of either party  
512 or the court's own motion. However, the court may deny the  
513 defendant admission into a misdemeanor pretrial veterans'  
514 treatment intervention program if the defendant has previously  
515 entered a court-ordered veterans' treatment program.

516 (b) While enrolled in a pretrial intervention program  
517 authorized by this section, the participant shall be subject to  
518 a coordinated strategy developed by a veterans' treatment  
519 intervention team. The coordinated strategy should be modeled  
520 after the therapeutic jurisprudence principles and key  
521 components in s. 397.334(4), with treatment specific to the  
522 needs of veterans. The coordinated strategy may include a

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523 protocol of sanctions that may be imposed upon the participant  
524 for noncompliance with program rules. The protocol of sanctions  
525 may include, but need not be limited to, placement in a  
526 treatment program offered by a licensed service provider or in a  
527 jail-based treatment program or serving a period of  
528 incarceration within the time limits established for contempt of  
529 court. The coordinated strategy must be provided in writing to  
530 the participant before the participant agrees to enter into a  
531 misdemeanor pretrial veterans' treatment intervention program or  
532 other pretrial intervention program. Any person whose charges  
533 are dismissed after successful completion of the misdemeanor  
534 pretrial veterans' treatment intervention program, if otherwise  
535 eligible, may have his or her arrest record and plea of nolo  
536 contendere to the dismissed charges expunged under s. 943.0585.

537 (3)-(2) At the end of the pretrial intervention period, the  
538 court shall consider the recommendation of the treatment program  
539 and the recommendation of the state attorney as to disposition  
540 of the pending charges. The court shall determine, by written  
541 finding, whether the defendant successfully completed the  
542 pretrial intervention program. Notwithstanding the coordinated  
543 strategy developed by a drug court team pursuant to s.  
544 397.334(4) or by the veterans' treatment intervention team, if  
545 the court finds that the defendant has not successfully  
546 completed the pretrial intervention program, the court may order  
547 the person to continue in education and treatment or return the  
548 charges to the criminal docket for prosecution. The court shall  
549 dismiss the charges upon finding that the defendant has  
550 successfully completed the pretrial intervention program.

551 (4)-(3) Any public or private entity providing a pretrial

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552 substance abuse education and treatment program under this  
553 section shall contract with the county or appropriate  
554 governmental entity. The terms of the contract shall include,  
555 but not be limited to, the requirements established for private  
556 entities under s. 948.15(3). This requirement does not apply to  
557 services provided by the Department of Veterans' Affairs or the  
558 United States Department of Veterans Affairs.

559 Section 8. Subsection (1) of section 1003.05, Florida  
560 Statutes, is amended to read:

561 1003.05 Assistance to transitioning students from military  
562 families.—

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

568 (a) Recognizing the challenges faced by military students  
569 and the importance of military families to our community and  
570 economy, the Department of Education shall assist the transition  
571 of these students by improving the timely transfer of records,  
572 developing systems to ease student transition during the first 2  
573 weeks of enrollment, promoting practices which foster access to  
574 extracurricular programs, establishing procedures to lessen the  
575 adverse impact of moves from the end of the junior year as well  
576 as before and during the senior year, encouraging or continuing  
577 partnerships between the military base and the school system,  
578 providing services for transitioning students when applying to  
579 and finding funding for postsecondary study, and providing other  
580 assistance as identified by department, school, and military

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581 personnel.

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

586 Section 9. Section 1004.075, Florida Statutes, is created  
587 to read:

588 1004.075 Priority course registration for veterans.—Each  
589 Florida College System institution and state university that  
590 offers priority course registration for a segment of the student  
591 population, or upon implementation of priority course  
592 registration for a segment of the student population, shall  
593 provide priority course registration for each veteran of the  
594 United States Armed Forces who is receiving GI Bill educational  
595 benefits or for the spouse or dependent children of the veteran  
596 to whom the GI Bill educational benefits have been transferred.  
597 Each eligible veteran, or his or her spouse or dependent  
598 children, shall be granted priority for course registration  
599 until the expiration of the GI Bill educational benefits.

600 Section 10. Section 1005.09, Florida Statutes, is created  
601 to read:

602 1005.09 Priority course registration for veterans.—Each  
603 independent postsecondary educational institution that is under  
604 the jurisdiction of the commission or is exempt from the  
605 jurisdiction of the commission and that offers priority course  
606 registration for a segment of the student population, or upon  
607 implementation of priority course registration for a segment of  
608 the student population, is encouraged to provide priority course  
609 registration for each veteran of the United States Armed Forces,

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610 or his or her spouse or dependent children, who is receiving GI  
611 Bill educational benefits, in accordance with s. 1004.075.

612 Section 11. Present paragraphs (c) through (k) of  
613 subsection (10) of section 1009.21, Florida Statutes, are  
614 redesignated as paragraphs (d) through (l), respectively, and a  
615 new paragraph (c) is added to that subsection, to read:

616 1009.21 Determination of resident status for tuition  
617 purposes.—Students shall be classified as residents or  
618 nonresidents for the purpose of assessing tuition in  
619 postsecondary educational programs offered by charter technical  
620 career centers or career centers operated by school districts,  
621 in Florida College System institutions, and in state  
622 universities.

623 (10) The following persons shall be classified as residents  
624 for tuition purposes:

625 (c) Veterans of the Armed Services of the United States,  
626 including reserve components thereof, who attend the physical  
627 location of a public college, university, or institution of  
628 higher learning within the state.

629 Section 12. Any veteran of the United States Armed Forces  
630 who was a resident of this state 4 years before entering  
631 military service and who holds an associate degree or has earned  
632 at least 60 college credit hours from a Florida College System  
633 institution shall be admitted to any Florida College System  
634 institution or state university of the veteran's choice.

635 Section 13. Except as otherwise expressly provided in this  
636 act, this act shall take effect July 1, 2012.