



231456

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2015	.	
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Appropriations Subcommittee on Criminal and Civil Justice  
(Bradley) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (5) of section 910.035, Florida  
Statutes, is amended to read:

910.035 Transfer from county for plea, and sentence, or  
participation in a problem-solving court.-

(5) TRANSFER FOR PARTICIPATION IN A PROBLEM-SOLVING COURT.-

(a) For purposes of this subsection, the term "problem-



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11 solving court” means a drug court pursuant to s. 948.01, s.  
12 948.06, s. 948.08, s. 948.16, or s. 948.20; a veterans’ court  
13 pursuant to s. 394.47891, s. 948.08, s. 948.16, or s. 948.21; or  
14 a mental health court.

15 (b) Any person eligible for participation in a problem-  
16 solving ~~drug~~ court shall, upon request by the person or a court,  
17 ~~treatment program pursuant to s. 948.08(6) may be eligible to~~  
18 have the case transferred to a county other than that in which  
19 the charge arose if the person agrees to the transfer, the drug  
20 ~~court program agrees and if the following conditions are met:~~

21 ~~(a) the authorized representative of the trial drug court~~  
22 ~~consults program of the county requesting to transfer the case~~  
23 ~~shall consult~~ with the authorized representative of the problem-  
24 solving ~~drug~~ court ~~program~~ in the county to which transfer is  
25 desired, and both representatives agree to the transfer.

26 (c) ~~(b)~~ If all parties agree to the transfer as required by  
27 paragraph (b), approval for transfer is received from all  
28 ~~parties,~~ the trial court shall ~~accept a plea of nolo contendere~~  
29 ~~and~~ enter a transfer order directing the clerk to transfer the  
30 case to the county which has accepted the defendant into its  
31 problem-solving ~~drug~~ court ~~program~~.

32 (d) 1. ~~(c)~~ When transferring a pretrial problem-solving court  
33 case, the transfer order shall include a copy of the probable  
34 cause affidavit; any charging documents in the case; all  
35 reports, witness statements, test results, evidence lists, and  
36 other documents in the case; the defendant’s mailing address and  
37 telephone ~~phone~~ number; and the defendant’s written consent to  
38 abide by the rules and procedures of the receiving county’s  
39 problem-solving ~~drug~~ court ~~program~~.





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another jurisdiction having such a program under  
certain conditions; providing an effective date.