

By Senator Taddeo

40-01249-19

20191226__

1 A bill to be entitled
2 An act relating to military veterans and
3 servicemembers court programs; amending s. 394.47891,
4 F.S.; requiring the chief judge of each judicial
5 circuit to establish a Military Veterans and
6 Servicemembers Court Program; requiring the chief
7 judge to consider nationally recognized best practices
8 when adopting policies and procedures for the program;
9 providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Section 394.47891, Florida Statutes, is amended
14 to read:

15 394.47891 Military veterans and servicemembers court
16 programs.—

17 (1) The chief judge of each judicial circuit shall ~~may~~
18 establish a Military Veterans and Servicemembers Court Program
19 under which veterans, as defined in s. 1.01, including veterans
20 who were discharged or released under a general discharge, and
21 servicemembers, as defined in s. 250.01, who are charged or
22 convicted of a criminal offense and who suffer from a military-
23 related mental illness, traumatic brain injury, substance abuse
24 disorder, or psychological problem can be sentenced in
25 accordance with chapter 921 in a manner that appropriately
26 addresses the severity of the mental illness, traumatic brain
27 injury, substance abuse disorder, or psychological problem
28 through services tailored to the individual needs of the
29 participant. Entry into any Military Veterans and Servicemembers

40-01249-19

20191226__

30 Court Program must be based upon the sentencing court's
31 assessment of the defendant's criminal history, military
32 service, substance abuse treatment needs, mental health
33 treatment needs, amenability to the services of the program, the
34 recommendation of the state attorney and the victim, if any, and
35 the defendant's agreement to enter the program.

36 (2) The chief judge shall consider nationally recognized
37 best practices in adopting policies and procedures for the
38 program.

39 Section 2. This act shall take effect July 1, 2019.