

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.

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

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 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
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.