

By Senator Torres

15-01262A-20

20201686\_\_

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; veterans who were  
20 discharged or released under any condition; servicemembers, as  
21 defined in s. 250.01; individuals who are current or former  
22 United States Department of Defense contractors; and individuals  
23 who are current or former military members of a foreign allied  
24 country, who are charged or convicted of a criminal offense, and  
25 who suffer from a military-related mental illness, traumatic  
26 brain injury, substance abuse disorder, or psychological problem  
27 can be sentenced in accordance with chapter 921 in a manner that  
28 appropriately addresses the severity of the mental illness,  
29 traumatic brain injury, substance abuse disorder, or

15-01262A-20

20201686\_\_

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

39 (2) The chief judge shall consider nationally recognized  
40 best practices in adopting policies and procedures for the  
41 program.

42 Section 2. This act shall take effect July 1, 2020.