

1 A bill to be entitled
 2 An act relating to criminal offender substance abuse
 3 pilot program; creating s. 948.22, F.S.; creating a
 4 substance abuse accountability pilot program in a
 5 specified county; providing for eligibility for the
 6 program; providing for design and implementation of
 7 the program in the county; providing requirements for
 8 the program; specifying personnel requirements;
 9 authorizing subgrants for personnel needs; specifying
 10 that program participation does not supersede ignition
 11 interlock requirements; requiring program evaluation
 12 by a specified date; requiring a report to certain
 13 officials by a specified date; providing for repeal of
 14 provisions; providing an appropriation; providing an
 15 effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 **Section 1. Section 948.22, Florida Statutes, is created to**
 20 **read:**

21 948.22 Substance Abuse Accountability Pilot Program.—

22 (1) A Substance Abuse Accountability Pilot Program is
 23 established in Hillsborough county from October 1, 2025, through
 24 September 30, 2027.

25 (2) Among persons charged with or convicted of a felony or

26 first-degree misdemeanor and who are placed on probation,
27 community control, or any other community sanction, including
28 supervised pretrial release, for which abstention from alcohol
29 or controlled substances is a condition of compliance, a court
30 shall designate a subset identified as eligible for the program.
31 Among this eligible pool, individuals will be randomly assigned
32 to participate in the program. All persons deemed eligible shall
33 have the same probability of assignment to the program. No more
34 than 150 offenders may participate in the program at any one
35 time.

36 (3) The sheriff of the participating county, in
37 consultation with the chief judge of the judicial circuit, the
38 state attorney, and the Department of Corrections, shall design
39 and implement the program. The sheriff may contract with a third
40 party to assist with program design and implementation. However,
41 the program established under this section must include all of
42 the following elements:

43 (a) Notwithstanding any other law, the sheriff shall
44 manage the supervision of all participants during their
45 participation in the program. Upon discharge from the program,
46 the participants shall be managed in accordance with current law
47 for any remaining term of supervision.

48 (b) Participants shall attend an in-person judicial
49 hearing at which a judge shall explain to the participants all
50 program conditions and sanctions for noncompliance.

51 (c) A participant who is ordered to abstain from alcohol
52 shall be tested twice per day by mobile breath alcohol testing.
53 Testing shall be completed in person at the participating county
54 sheriff's office or an alternate location designated by the
55 sheriff's office, approximately 12 hours apart. However, if a
56 court determines that in-person testing is unreasonably
57 burdensome to a participant, the participant may instead be
58 ordered to wear a continuous monitoring device capable of
59 detecting and signaling the presence of alcohol.

60 (d) A participant who is ordered to abstain from
61 controlled substances shall be tested randomly, at least twice
62 every 7 days, with no fewer than 60 hours between tests. Testing
63 shall be completed in person at the participating county
64 sheriff's office or an alternate location designated by the
65 sheriff's office, by a method determined by the sheriff.

66 (e) Missed tests, failed tests, and alerts by a continuous
67 monitoring device of a positive test result shall be probable
68 cause that a participant has violated the program.

69 (f) If there is probable cause that a participant has
70 violated the program, the participant shall be arrested at the
71 earliest opportunity and held in county jail until an appearance
72 before a judge no later than 24 hours after the participant's
73 arrest.

74 (g) Upon a judicial finding that a participant has
75 violated the program, the participant shall serve 24 hours in

76 county jail, with credit for time served between the arrest of
77 the participant and the judicial finding of a violation.

78 Penalties under this paragraph may not be waived or modified.

79 (h) A participant who is arrested and held under this
80 section whose alleged violation is not adjudicated within 24
81 hours of the participant's arrest must be released at the
82 earliest possible opportunity. Release of a participant under
83 this paragraph does not end the offender's participation in the
84 program.

85 (i) A court may reduce the frequency of testing for
86 alcohol consumption to once per day for a participant who has
87 zero adjudicated program violations for 60 consecutive days.

88 (j) A court may reduce the frequency of testing for
89 controlled substances to once per week for a participant who has
90 zero adjudicated program violations for 6 consecutive months.

91 (k) Upon five adjudicated violations of program
92 conditions, a court may discharge the participant from the
93 program and sentence the offender as authorized by law. Nothing
94 in this paragraph shall preclude a court from modifying the
95 conditions of a participant's supervision, including revocation
96 of supervision, upon any other violation of supervision
97 conditions.

98 (l) Participants shall pay all fees associated with
99 participation in the program. However, a court may reduce
100 program fees for a participant who has been declared indigent.

101 (4) The program established under this section shall
102 include a program coordinator, whose duties shall include
103 identifying and hiring personnel to ensure efficient
104 administration of the program. The sheriff of the participating
105 county may make subgrants to any appropriate agency for hiring
106 personnel under this subsection.

107 (5) A court may not order participation in the program in
108 lieu of mandatory placement of an ignition interlock device as
109 described in s. 316.193.

110 (6) By June 30, 2028, the Attorney General shall complete
111 an evaluation of program effectiveness. The Attorney General
112 shall determine the metrics to be evaluated and may contract
113 with a third party to conduct any program evaluations.

114 (7) A report on the pilot program, including results of
115 all program evaluations, shall be delivered to the Governor, the
116 President of the Senate, and the Speaker of the House of
117 Representatives by November 30, 2028.

118 (8) This section is repealed November 30, 2028.

119 **Section 2.** For fiscal year 2025-2026, the nonrecurring sum
120 of \$2,500,000 to the sheriff in Hillsborough County shall be
121 appropriated from the Opioid Settlement Trust Fund. Funds
122 appropriated under this section may be used for any expenses
123 related to establishing and administering the program through
124 September 30, 2027, including personnel, equipment, training and
125 technical assistance, payments for jail space, data collection,

126 | program evaluations, and program fees for indigent participants.

127 | **Section 3.** This act shall take effect July 1, 2025.