

1 A bill to be entitled
 2 An act relating to veterans affairs; amending s.
 3 265.003, F.S.; reducing the number of annual nominees
 4 for the Florida Veterans' Hall of Fame; amending s.
 5 320.08058, F.S.; revising annual use fee distribution
 6 from the sale of the Gadsden Flag license plate;
 7 amending s. 394.47891, F.S.; revising the admissions
 8 process for veterans treatment court programs;
 9 authorizing courts to determine eligibility for
 10 veterans treatment court programs without consultation
 11 with the state attorney; amending s. 948.01, F.S.;
 12 authorizing sentencing courts to divert defendants to
 13 veterans treatment court programs under certain
 14 circumstances; requiring certain notice be provided to
 15 defendants; providing for disposition of probation or
 16 community control violations by program participants;
 17 providing an effective date.

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

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 21 **Section 1. Paragraph (a) of subsection (4) of section**
 22 **265.003, Florida Statutes, is amended to read:**

23 265.003 Florida Veterans' Hall of Fame.—
 24 (4) (a) The Florida Veterans' Hall of Fame Council shall
 25 annually accept nominations of persons to be considered for

26 induction into the Florida Veterans' Hall of Fame and shall
27 transmit a list of up to 5 ~~20~~ nominees to the Department of
28 Veterans' Affairs for submission to the Governor and the
29 Cabinet, who will select the nominees to be inducted.

30 **Section 2. Paragraph (b) of subsection (92) of section**
31 **320.08058, Florida Statutes, is amended to read:**

32 320.08058 Specialty license plates.—

33 (92) GADSDEN FLAG LICENSE PLATES.—

34 (b) The annual use fees shall be distributed to the
35 Florida Veterans Foundation, a direct-support organization of
36 the Department of Veterans' Affairs, and must be used to benefit
37 veterans. Up to 10 percent of the proceeds may be used for
38 administrative costs and continuing promotion and marketing of
39 the license plate.

40 **Section 3. Subsections (4) and (8) of section 394.47891,**
41 **Florida Statutes, are amended to read:**

42 394.47891 Veterans treatment court programs.—

43 (4) ADMISSION.—A defendant who meets the eligibility
44 requirements under subsection (8) may be admitted to a veterans
45 treatment court program at any stage of a criminal proceeding. ~~A~~
46 ~~defendant seeking to participate in a veterans treatment court~~
47 ~~program must submit an application to the state attorney. The~~
48 ~~state attorney must review each application and determine~~
49 ~~whether the defendant meets the eligibility requirements in~~
50 ~~subsection (8).~~

51 (8) ELIGIBILITY.—

52 (a) A defendant may participate in a veterans treatment
53 court program if he or she is approved by ~~the state attorney, in~~
54 ~~consultation with~~ the court, and meets the following criteria:

55 1. The defendant has a service-related mental health
56 condition, service-related traumatic brain injury, service-
57 related substance use disorder, or service-related psychological
58 problem or has experienced military sexual trauma.

59 2. The defendant's participation in the veterans treatment
60 court program is in the interest of justice and of benefit to
61 the defendant and the community.

62 (b) In making the determination under subparagraph (a)2.,
63 ~~the state attorney, in consultation with~~ the court, must
64 consider:

65 1. The nature and circumstances of the offense charged.

66 2. The special characteristics or circumstances of the
67 defendant and any victim or alleged victim, including any
68 recommendation of the victim or alleged victim.

69 3. The defendant's criminal history and whether the
70 defendant previously participated in a veterans treatment court
71 program or similar program.

72 4. Whether the defendant's needs exceed the treatment
73 resources available to the veterans treatment court program.

74 5. The impact on the community of the defendant's
75 participation and treatment in the veterans treatment court

76 program.

77 6. Recommendations of any law enforcement agency involved
78 in investigating or arresting the defendant.

79 7. If the defendant owes restitution, the likelihood of
80 payment during the defendant's participation in the veterans
81 treatment court program.

82 8. Any mitigating circumstances.

83 9. Any other circumstances reasonably related to the
84 defendant's case.

85 **Section 4. Subsection (9) is added to section 948.01,**
86 **Florida Statutes, to read:**

87 948.01 When court may place defendant on probation or into
88 community control.—

89 (9) (a) Notwithstanding s. 921.0024 and effective for
90 offenses committed on or after July 1, 2016, the sentencing
91 court may place the defendant into a postadjudicatory veterans
92 treatment court program if the offense is a nonviolent felony
93 and the defendant is a servicemember or veteran as defined in s.
94 394.47891(2). Satisfactory completion of the program must be a
95 condition of the defendant's probation or community control. As
96 used in this subsection, the term "nonviolent felony" means a
97 third degree felony violation under chapter 810 or any other
98 felony offense that is not a forcible felony as defined in s.
99 776.08.

100 (b) The defendant must be fully advised of the purpose of

101 the veterans treatment court program, and the defendant must
102 agree to enter the program. The original sentencing court shall
103 relinquish jurisdiction of the defendant's case to the
104 postadjudicatory veterans treatment court program until the
105 defendant is no longer active in the program, the case is
106 returned to the sentencing court due to the defendant's
107 termination from the program for failure to comply with the
108 terms of the program, or the defendant's sentence is completed.

109 (c) A defendant sentenced to a postadjudicatory veterans
110 treatment court program and who, while a veterans treatment
111 court program participant, is the subject of a violation of
112 probation or community control under s. 948.06 shall have the
113 violation of probation or community control heard by the judge
114 presiding over the postadjudicatory veterans treatment court
115 program. The judge shall dispose of any such violation, after a
116 hearing on or admission of the violation, as he or she deems
117 appropriate if the resulting sentence or conditions are lawful.

118 **Section 5.** This act shall take effect July 1, 2025.