

1 A bill to be entitled
2 An act relating to veterans affairs; amending s.
3 394.47891, F.S.; revising the admissions process for
4 veterans treatment court programs; authorizing the
5 court, in consultation with the multidisciplinary
6 team, to determine eligibility for veterans treatment
7 court programs; requiring the court to consider the
8 recommendation of the state attorney when making an
9 eligibility determination; amending s. 948.01, F.S.;
10 authorizing sentencing courts to divert defendants to
11 veterans treatment court programs under certain
12 circumstances; requiring certain notice be provided to
13 defendants; providing for disposition of probation or
14 community control violations by program participants;
15 providing an effective date.

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

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19 **Section 1. Subsections (4) and (8) of section 394.47891,**
20 **Florida Statutes, are amended to read:**

21 394.47891 Veterans treatment court programs.—

22 (4) ADMISSION.—A defendant who meets the eligibility
23 requirements provided in ~~under~~ subsection (8) may be admitted to
24 a veterans treatment court program at any stage of a criminal
25 proceeding. ~~A defendant seeking to participate in a veterans~~

26 ~~treatment court program must submit an application to the state~~
27 ~~attorney. The state attorney must review each application and~~
28 ~~determine whether the defendant meets the eligibility~~
29 ~~requirements in subsection (8).~~

30 (8) ELIGIBILITY.—

31 (a) A defendant may participate in a veterans treatment
32 court program if he or she is approved by the ~~state attorney, in~~
33 ~~consultation with the court,~~ in consultation with the
34 multidisciplinary team, and meets the following criteria:

35 1. The defendant has a service-related mental health
36 condition, service-related traumatic brain injury, service-
37 related substance use disorder, or service-related psychological
38 problem or has experienced military sexual trauma.

39 2. The defendant's participation in the veterans treatment
40 court program is in the interest of justice and of benefit to
41 the defendant and the community.

42 (b) In making the determination under subparagraph (a)2.,
43 ~~the state attorney, in consultation with the court,~~ in
44 consultation with the multidisciplinary team, must consider:

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

46 2. The special characteristics or circumstances of the
47 defendant and any victim or alleged victim, including any
48 recommendation of the victim or alleged victim.

49 3. The defendant's criminal history and whether the
50 defendant previously participated in a veterans treatment court

51 program or similar program.

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

54 5. The impact on the community of the defendant's
55 participation and treatment in the veterans treatment court
56 program.

57 6. Recommendations of any law enforcement agency involved
58 in investigating or arresting the defendant, and any
59 recommendation of the state attorney.

60 7. If the defendant owes restitution, the likelihood of
61 payment during the defendant's participation in the veterans
62 treatment court program.

63 8. Any mitigating circumstances.

64 9. Any other circumstances reasonably related to the
65 defendant's case.

66 **Section 2. Subsection (9) is added to section 948.01,**
67 **Florida Statutes, to read:**

68 948.01 When court may place defendant on probation or into
69 community control.—

70 (9) (a) Notwithstanding s. 921.0024 and effective for
71 offenses committed on or after July 1, 2026, the sentencing
72 court may place the defendant into a postadjudicatory veterans
73 treatment court program if the offense is a nonviolent felony,
74 the defendant is a servicemember or veteran as defined in s.
75 394.47891(2), and the defendant is otherwise qualified to

76 participate in a veterans treatment court program under s.
77 394.47891(8). Satisfactory completion of the program must be a
78 condition of the defendant's probation or community control. As
79 used in this subsection, the term "nonviolent felony" means a
80 third degree felony violation under chapter 810 or any other
81 felony offense that is not a forcible felony as defined in s.
82 776.08.

83 (b) The defendant must be fully advised of the purpose of
84 the veterans treatment court program, and the defendant must
85 agree to enter the program. The original sentencing court shall
86 relinquish jurisdiction of the defendant's case to the
87 postadjudicatory veterans treatment court program until the
88 defendant is no longer active in the program, the case is
89 returned to the sentencing court due to the defendant's
90 termination from the program for failure to comply with the
91 terms of the program, or the defendant's sentence is completed.

92 (c) A defendant sentenced to a postadjudicatory veterans
93 treatment court program and who, while a veterans treatment
94 court program participant, is the subject of a violation of
95 probation or community control under s. 948.06 shall have the
96 violation of probation or community control heard by the judge
97 presiding over the postadjudicatory veterans treatment court
98 program. The judge shall dispose of any such violation, after a
99 hearing on or admission of the violation, as he or she deems
100 appropriate if the resulting sentence or conditions are lawful.

101 **Section 3.** This act shall take effect July 1, 2026.