

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 186 — Misdemeanor Pretrial Substance Abuse Programs

by Judiciary Committee and Senators Ring, Bogdanoff, Joyner, Rich, and Lynn

The bill expands the pool of people who are eligible for admission into a misdemeanor pretrial substance abuse education and treatment intervention program. It does so by making the following changes to current law:

- Removing the requirement that a person not have previously been admitted to a pretrial program in order to participate in a misdemeanor pretrial substance abuse education and treatment intervention program.
- Eliminating the current restriction that only a person charged with misdemeanor drug or paraphernalia possession under ch. 893, F.S., may participate in a program. The bill retains that offense as an eligible category for participation, but it also adds that a person may participate if he or she is charged with a misdemeanor for:
 - A nonviolent, nontraffic-related offense and it is shown that the person has a substance abuse problem;
 - Prostitution;
 - Underage possession of alcohol; or
 - Possession of certain controlled substances without a valid prescription.

This bill may have a positive fiscal impact on local governments since persons who successfully complete the pretrial intervention programs have their criminal charges dismissed and are not sentenced to jail. However, some counties may need to expend additional funds to expand their programs if it results in a significant increase in the number of participants.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 39-0; House 116-2