

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/CS/HB 1095 — Criminal Offender Substance Abuse Program

by Judiciary Committee; Justice Budget Subcommittee; Criminal Justice Subcommittee; and Rep. Koster and others (CS/CS/SB 1140 by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senators Gruters and Osgood)

The bill establishes a Substance Abuse Accountability Pilot Program in Hillsborough County from October 1, 2025, to September 30, 2027, and is repealed November 30, 2028.

The bill requires the court to designate a subset of identified persons who are convicted of a felony or first degree misdemeanor, and placed on probation, for which abstaining from alcohol or a controlled substance is a condition of such release. Individuals will be randomly assigned to participate in the program and no more than 150 offenders may participate at any one time. A defendant must be explicitly advised he or she may be randomly assigned to the program, and all terms and conditions must be explained prior to entering any plea agreement that would make such person eligible. A defendant will remain in the program for the same length of time as the term of probation. Upon successful completion of half of the term of participation in the program, the court may terminate the person's probation and participation in the program.

The bill requires the Sheriff of Hillsborough County, in consultation with the Chief Judge of the Thirteenth Judicial Circuit, the State Attorney, and the Department of Corrections, to design and implement the pilot program. The program must include specified elements, and a program coordinator, whose duties must include identifying and hiring personnel to ensure efficient administration of the program.

By June 30, 2028, the Attorney General must complete an evaluation of the program's effectiveness. The Attorney General must determine the metrics to be evaluated and may contract with a third party to conduct any program evaluations. By November 30, 2028, a report on the pilot program, which must include the number of program participants, the number of program violations, and the number of successful program completions, must be delivered to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill requires, subject to specific appropriation, any funds awarded to be used for expenses related to establishing and administering the program, including personnel, equipment, training and technical assistance, payments for jail space, data collection, program evaluations, and program fees for indigent participants.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 111-0