

1 A bill to be entitled
2 An act relating to military support; amending s.
3 14.34, F.S.; revising the definition of "exceptional
4 meritorious service" with respect to the Governor's
5 Medal of Merit; amending s. 163.3175, F.S.;
6 authorizing the Florida Defense Support Task Force to
7 recommend to the Legislature specified changes in
8 military installations and local governments under the
9 Community Planning Act; clarifying and revising
10 procedures related to exchange of information between
11 military installations and local governments under the
12 act; amending s. 196.173, F.S.; authorizing
13 servicemembers who receive a homestead exemption and
14 who are deployed in certain military operations to
15 receive an additional ad valorem tax exemption;
16 providing a deadline for claiming tax exemptions for
17 qualifying deployments during the 2011 calendar year;
18 providing procedures and requirements for filing
19 applications and petitions to receive the tax
20 exemption after expiration of the deadline; providing
21 application; amending s. 265.003, F.S.; creating the
22 Florida Veterans' Hall of Fame Council; providing for
23 membership and terms of appointment; providing for the
24 appointment of a chair; providing for meetings, a
25 quorum, and voting; providing for reimbursement of
26 travel expenses; providing for the removal of an
27 appointee; providing for the Florida Veterans' Hall of
28 Fame Council rather than the Department of Veterans'

29 Affairs to select nominees for induction into the
30 Florida Veterans' Hall of Fame and to establish the
31 criteria for selection; amending s. 288.972, F.S.;
32 revising legislative intent with respect to proposed
33 closure or reuse of military bases; amending s.
34 288.980, F.S.; creating the Military Base Protection
35 Program within the Department of Economic Opportunity;
36 providing for use of program funds; revising
37 provisions relating to the award of grants for
38 retention of military installations; revising a
39 definition; eliminating the Florida Economic
40 Reinvestment Initiative; establishing the Florida
41 Defense Reinvestment Grant Program to be administered
42 by the Department of Economic Opportunity; specifying
43 purposes of the program; specifying activities for
44 which grant awards may be provided; eliminating the
45 Defense-Related Business Adjustment Program, the
46 Florida Defense Planning Grant Program, the Florida
47 Defense Implementation Grant Program, the Florida
48 Military Installation Reuse Planning and Marketing
49 Grant Program, and the Retention of Military
50 Installations Program; transferring and reassigning
51 the functions and responsibilities of the Florida
52 Council on Military Base and Mission Support within
53 the Department of Economic Opportunity to the Florida
54 Defense Support Task Force within the Department of
55 Economic Opportunity by type two transfer; repealing
56 s. 288.984, F.S., which establishes the Florida

57 Council on Military Base and Mission Support and
58 provides purposes thereof; amending s. 288.985, F.S.;
59 conforming provisions relating to exempt records and
60 meetings of the Council on Military Base and Mission
61 Support; amending s. 288.987, F.S.; revising
62 provisions relating to the Florida Defense Support
63 Task Force, to conform; amending s. 295.187, F.S.;
64 revising legislative intent; renaming and revising the
65 Florida Service-Disabled Veteran Business Enterprise
66 Opportunity Act to expand the vendor preference in
67 state contracting to include certain businesses owned
68 and operated by wartime veterans or veterans of a
69 period of war; amending s. 320.089, F.S.; providing
70 for the issuance of a Combat Infantry Badge license
71 plate; providing qualifications and requirements for
72 the plate; providing for the use of proceeds from the
73 sale of the plate; providing for issuance of a Vietnam
74 War Veterans' license plate and the Korean Conflict
75 Veterans' license plate; providing qualifications and
76 requirements for the plates; creating s. 320.0892,
77 F.S.; providing for the Department of Highway Safety
78 and Motor Vehicles to issue Silver Star, Distinguished
79 Service Cross, Navy Cross, and Air Force Cross license
80 plates, without payment of the license tax, to persons
81 meeting specified criteria; creating s. 683.146, F.S.;
82 designating August 7 of each year as "Purple Heart
83 Day"; providing a short title; creating s. 394.47891,
84 F.S.; authorizing the chief judge of each judicial

85 circuit to establish a Military Veterans and
86 Servicemembers Court Program for specified veterans
87 and servicemembers; providing criteria for entry into
88 the program; authorizing a judge to impose a condition
89 of supervision upon specified probationers and
90 community controllees requiring such person to
91 participate in a treatment program; requiring the
92 court to give preference to certain treatment
93 programs; providing that the Department of Corrections
94 is not required to spend state funds to implement
95 these provisions; amending s. 948.08, F.S.; creating a
96 pretrial veterans' and servicemembers' treatment
97 intervention program; providing requirements for a
98 defendant to be voluntarily admitted to the pretrial
99 program; providing certain exceptions to such
100 admission; providing for the disposition of pending
101 charges following a defendant's completion of the
102 pretrial intervention program; providing for the
103 charges to be expunged under certain circumstances;
104 amending s. 948.16, F.S.; creating a misdemeanor
105 pretrial veterans' treatment intervention program;
106 providing requirements for voluntary admission to the
107 misdemeanor pretrial program; providing for the
108 misdemeanor charges to be expunged under certain
109 circumstances; exempting treatment services provided
110 by the Department of Veterans' Affairs or the United
111 States Department of Veterans Affairs from certain
112 contract requirements; creating s. 948.21, F.S.;

CS/CS/HB 977

2012

113 authorizing a judge to impose a condition of
114 supervision upon specified probationers and community
115 controllees requiring such person to participate in a
116 treatment program; requiring the court to give
117 preference to certain treatment programs; providing
118 that the Department of Corrections is not required to
119 spend state funds to implement these provisions;
120 creating s. 1004.075, F.S.; requiring certain Florida
121 College System institutions and state universities to
122 provide priority course registration for veterans;
123 providing eligibility requirements; creating s.
124 1005.09, F.S.; encouraging certain independent
125 postsecondary educational institutions to provide
126 priority course registration for veterans; providing
127 honorary designations of certain transportation
128 facilities in specified counties; directing the
129 Department of Transportation to erect suitable
130 markers; providing effective dates.

131
132 Be It Enacted by the Legislature of the State of Florida:

133
134 Section 1. Subsection (1) of section 14.34, Florida
135 Statutes, is amended to read:

136 14.34 Governor's Medal of Merit.—

137 (1) The Governor may present, in the name of the State of
138 Florida, a medal to be known as the "Governor's Medal of Merit,"
139 which shall bear a suitable inscription and ribbon of
140 appropriate design, to:

CS/CS/HB 977

2012

141 (a) Any legal resident of this state who has rendered
 142 exceptional meritorious service to the citizens of this state;

143 (b) Any legal resident of this state who is serving under
 144 honorable conditions on active duty as a member of the United
 145 States Armed Forces, the Florida National Guard, or the United
 146 States Reserve Forces and has rendered exceptional meritorious
 147 service to the citizens of this state while on active duty; or

148 (c) Any legal resident of this state who has been
 149 honorably discharged from active duty as a member of the United
 150 States Armed Forces, the Florida National Guard, or the United
 151 States Reserve Forces and, while on active duty, rendered
 152 exceptional meritorious service to the citizens of this state.

153

154 As used in this subsection, the term "exceptional meritorious
 155 service" means acts ~~of bravery~~ above and beyond the level of
 156 duty normally required by that person's respective military or
 157 civilian position.

158 Section 2. Subsections (3), (5), and (6) of section
 159 163.3175, Florida Statutes, are amended to read:

160 163.3175 Legislative findings on compatibility of
 161 development with military installations; exchange of information
 162 between local governments and military installations.—

163 (3) The Florida Defense Support Task Force ~~Council on~~
 164 ~~Military Base and Mission Support~~ may recommend to the
 165 Legislature changes to the military installations and local
 166 governments specified in subsection (2) based on a military
 167 base's potential for impacts from encroachment, and incompatible
 168 land uses and development.

CS/CS/HB 977

2012

169 (5) The commanding officer or his or her designee may
170 provide advisory comments to the affected local government on
171 the impact such proposed changes may have on the mission of the
172 military installation. Such advisory comments shall be based on
173 appropriate data and analyses provided with the comments and may
174 include:

175 (a) If the installation has an airfield, whether such
176 proposed changes will be incompatible with the safety and noise
177 standards contained in the Air Installation Compatible Use Zone
178 (AICUZ) adopted by the military installation for that airfield;

179 (b) Whether such changes are incompatible with the
180 Installation Environmental Noise Management Program (IENMP) of
181 the United States Army;

182 (c) Whether such changes are incompatible with the
183 findings of a Joint Land Use Study (JLUS) for the area if one
184 has been completed; and

185 (d) Whether the military installation's mission will be
186 adversely affected by the proposed actions of the county or
187 affected local government.

188

189 The commanding officer's comments, underlying studies, and
190 reports shall be considered by the local government in the same
191 manner as the comments received from other reviewing agencies
192 pursuant to s. 163.3184 ~~are not binding on the local government.~~

193 (6) The affected local government shall take into
194 consideration any comments and accompanying data and analyses
195 provided by the commanding officer or his or her designee
196 pursuant to subsection (4) as they relate to the strategic

197 mission of the base, public safety, and the economic vitality
 198 associated with the base's operations, while also respecting and
 199 ~~must also be sensitive to~~ private property rights and not being
 200 ~~be~~ unduly restrictive on those rights. The affected local
 201 government shall forward a copy of any comments regarding
 202 comprehensive plan amendments to the state land planning agency.

203 Section 3. Effective upon becoming a law and first
 204 applying to ad valorem tax rolls for 2012, subsection (2) of
 205 section 196.173, Florida Statutes, is amended to read:

206 196.173 Exemption for deployed servicemembers.—

207 (2) The exemption is available to servicemembers who were
 208 deployed during the preceding calendar year on active duty
 209 outside the continental United States, Alaska, or Hawaii in
 210 support of:

211 (a) Operation Noble Eagle, which began on September 15,
 212 2001;

213 (b) ~~(a)~~ Operation Enduring Freedom, which began on October
 214 7, 2001;

215 (c) ~~(b)~~ Operation Iraqi Freedom, which began on March 19,
 216 2003, and ended on August 31, 2010; ~~or~~

217 (d) ~~(e)~~ Operation New Dawn, which began on September 1,
 218 2010, and ended on December 15, 2011; or

219 (e) Operation Odyssey Dawn, which began on March 19, 2011,
 220 and ended on October 31, 2011.

221
 222 The Department of Revenue shall notify all property appraisers
 223 and tax collectors in this state of the designated military
 224 operations.

225 Section 4. This section is effective upon becoming a law.
226 Notwithstanding the application deadline in s. 196.173(5),
227 Florida Statutes, the deadline for an eligible servicemember to
228 file a claim for an additional ad valorem tax exemption for a
229 qualifying deployment during the 2011 calendar year is June 1,
230 2012. Any applicant who seeks to claim the additional exemption
231 and who fails to file an application by June 1 must file an
232 application for the exemption with the property appraiser on or
233 before the 25th day following the mailing by the property
234 appraiser of the notices required under s. 194.011(1), Florida
235 Statutes. Upon receipt of sufficient evidence, as determined by
236 the property appraiser, demonstrating the applicant was unable
237 to apply for the exemption in a timely manner or otherwise
238 demonstrating extenuating circumstances judged by the property
239 appraiser to warrant granting the exemption, the property
240 appraiser may grant the exemption. If the applicant fails to
241 produce sufficient evidence demonstrating the applicant was
242 unable to apply for the exemption in a timely manner or
243 otherwise demonstrating extenuating circumstances as judged by
244 the property appraiser, the applicant may file, pursuant to s.
245 194.011(3), Florida Statutes, a petition with the value
246 adjustment board requesting that the exemption be granted. Such
247 petition must be filed during the taxable year on or before the
248 25th day following the mailing of the notice by the property
249 appraiser as provided in s. 194.011(1), Florida Statutes.
250 Notwithstanding s. 194.013, Florida Statutes, the applicant is
251 not required to pay a filing fee for such a petition. Upon
252 reviewing the petition, if the applicant is qualified to receive

253 the exemption and demonstrates particular extenuating
 254 circumstances judged by the value adjustment board to warrant
 255 granting the exemption, the value adjustment board may grant the
 256 exemption for the current year.

257 Section 5. Section 265.003, Florida Statutes, is amended
 258 to read:

259 265.003 Florida Veterans' Hall of Fame.—

260 (1) It is the intent of the Legislature to recognize and
 261 honor those military veterans who, through their works and lives
 262 during or after military service, have made a significant
 263 contribution to the State of Florida.

264 (2) There is established the Florida Veterans' Hall of
 265 Fame.

266 (a) The Florida Veterans' Hall of Fame is administered by
 267 the Florida Department of Veterans' Affairs without
 268 appropriation of state funds.

269 (b) The Department of Management Services shall set aside
 270 an area on the Plaza Level of the Capitol Building along the
 271 northeast front wall and shall consult with the Department of
 272 Veterans' Affairs regarding the design and theme of the area.

273 (c) Each person who is inducted into the Florida Veterans'
 274 Hall of Fame shall have his or her name placed on a plaque
 275 displayed in the designated area of the Capitol Building.

276 (3) (a) The Florida Veterans' Hall of Fame Council is
 277 created within the Department of Veterans' Affairs as an
 278 advisory council, as defined in s. 20.03(7), consisting of seven
 279 members who shall all be honorably discharged veterans, and at
 280 least four of whom must be members of a congressionally

281 chartered veterans service organization. The Governor, the
282 President of the Senate, the Speaker of the House of
283 Representatives, the Attorney General, the Chief Financial
284 Officer, the Commissioner of Agriculture, and the executive
285 director of the Department of Veterans' Affairs shall each
286 appoint one member. For the purposes of ensuring staggered
287 terms, the council members appointed by the Governor, the
288 Attorney General, the Chief Financial Officer, and the
289 Commissioner of Agriculture shall be appointed to 4-year terms
290 beginning on January 1 of the year of appointment, and the
291 council members appointed by the President of the Senate, the
292 Speaker of the House of Representatives, and the executive
293 director of the Department of Veterans' Affairs shall be
294 appointed to 2-year terms beginning on January 1 of the year of
295 appointment. After the initial appointments, all appointees
296 shall be appointed to 4-year terms. A member whose term expires
297 shall continue to serve on the council until such time as a
298 replacement is appointed.

299 (b) The members shall annually elect a chair from among
300 their number. The council shall meet at the call of its chair,
301 at the request of the executive director of the Department of
302 Veterans' Affairs, or at such times as may be prescribed by the
303 council. A majority of the members of the council currently
304 appointed constitutes a quorum, and a meeting may not be held
305 unless a quorum is present. The affirmative vote of a majority
306 of the members of the council present is necessary for any
307 official action by the council.

308 (c) Members of the council may not receive compensation or

309 honorarium for their services. Members may be reimbursed for
310 travel expenses incurred in the performance of their duties, as
311 provided in s. 112.061, however, no state funds may be used for
312 this purpose.

313 (d) The original appointing authority may remove his or
314 her appointee from the council for misconduct or malfeasance in
315 office, neglect of duty, incompetence, or permanent inability to
316 perform official duties or if the member is adjudicated guilty
317 of a felony.

318 (4)-(3)(a) The Florida Veterans' Hall of Fame Council
319 Department of Veterans' Affairs shall annually accept
320 nominations of persons to be considered for induction into the
321 Florida Veterans' Hall of Fame and shall then transmit a list of
322 up to 20 nominees its recommendations to the Department of
323 Veterans' Affairs for submission to the Governor and the Cabinet
324 who will select the nominees to be inducted.

325 (b) In selecting its nominees for submission making its
326 recommendations to the Governor and the Cabinet, the Florida
327 Veterans' Hall of Fame Council Department of Veterans' Affairs
328 shall give preference to veterans who were born in Florida or
329 adopted Florida as their home state or base of operation and who
330 have made a significant contribution to the state in civic,
331 business, public service, or other pursuits.

332 (5)-(4) The Florida Veterans' Hall of Fame Council
333 Department of Veterans' Affairs may establish criteria and set
334 specific time periods for acceptance of nominations and for the
335 process of selection of nominees for membership and establish a
336 formal induction ceremony to coincide with the annual

337 commemoration of Veterans' Day.

338 Section 6. Subsections (9) and (10) of section 288.972,
339 Florida Statutes, are amended to read:

340 288.972 Legislative intent.—It is the policy of this
341 state, once the Federal Government has proposed any base closure
342 or has determined that military bases, lands, or installations
343 are to be closed and made available for reuse, to:

344 ~~(9) Coordinate the development of the Defense-Related~~
345 ~~Business Adjustment Program to increase commercial technology~~
346 ~~development by defense companies.~~

347 (9) ~~(10)~~ Coordinate the development, maintenance, and
348 analysis of a workforce database to assist workers adversely
349 affected by defense-related activities in their relocation
350 efforts.

351 Section 7. Section 288.980, Florida Statutes, is amended
352 to read:

353 288.980 Military base retention; legislative intent;
354 grants program.—

355 (1) (a) It is the intent of this state to provide the
356 necessary means to assist communities with military
357 installations in supporting and sustaining those installations
358 ~~that would be adversely affected by federal base realignment or~~
359 ~~closure actions~~. It is further the intent to encourage
360 communities to initiate a coordinated program of response and
361 plan of action in advance of future actions of the federal
362 government relating to realignments and closures ~~Base~~
363 ~~Realignment and Closure Commission~~. It is critical that ~~closure-~~
364 ~~vulnerable~~ communities develop and implement strategies ~~such a~~

365 ~~program~~ to preserve and protect ~~affected~~ military installations.
 366 The Legislature hereby recognizes that the state needs to
 367 coordinate all efforts that can support ~~facilitate the retention~~
 368 ~~of all remaining~~ military installations throughout ~~in~~ the state.
 369 The Legislature, therefore, declares that providing such
 370 assistance to support the defense-related initiatives within
 371 this section is a public purpose for which public money may be
 372 used.

373 (b) The Florida Defense Alliance, an organization within
 374 Enterprise Florida, is designated as the organization to ensure
 375 that Florida, its resident military bases and missions, and its
 376 military host communities are in competitive positions as the
 377 United States continues its defense realignment and downsizing.
 378 The defense alliance shall serve as an overall advisory body for
 379 defense-related activity of Enterprise Florida, Inc. The Florida
 380 Defense Alliance may receive funding from appropriations made
 381 for that purpose administered by the department.

382 (2) The Military Base Protection Program is created. Funds
 383 appropriated to this program may be used to address emergent
 384 needs relating to mission sustainment and base retention. All
 385 funds appropriated for the purposes of this program are eligible
 386 to be used for matching of federal funds. The department shall
 387 coordinate and implement this program.

388 (3) ~~(2)~~(a) The department is authorized to award grants on
 389 a competitive basis from any funds available to it to support
 390 activities related to the Florida Defense Reinvestment Grant
 391 Program and the Florida Defense Infrastructure Grant Program
 392 ~~retention of military installations potentially affected by~~

393 ~~federal base closure or realignment.~~

394 (b) The term "activities" as used in this section means
 395 studies, presentations, analyses, plans, and modeling. For the
 396 purposes of the Florida Defense Infrastructure Grant Program,
 397 the term "activities" also includes, but is not limited to,
 398 construction, land purchases, and easements. Staff salaries are
 399 not considered an "activity" for which grant funds may be
 400 awarded. Travel costs and costs incidental thereto incurred by a
 401 grant recipient shall be considered an "activity" for which
 402 grant funds may be awarded.

403 (c) ~~Except for grants issued pursuant to the Florida~~
 404 ~~Military Installation Reuse Planning and Marketing Grant Program~~
 405 ~~as described in paragraph (3)(c), the amount of any grant~~
 406 ~~provided to an applicant may not exceed \$250,000.~~ The department
 407 shall require that an applicant:

408 1. Represent a local government with a military
 409 installation or military installations that could be adversely
 410 affected by federal actions ~~base realignment or closure.~~

411 2. Agree to match at least 30 percent of any grant
 412 awarded.

413 3. Prepare a coordinated program or plan of action
 414 delineating how the eligible project will be administered and
 415 accomplished.

416 4. Provide documentation describing the potential for
 417 changes to the mission ~~realignment or closure~~ of a military
 418 installation located in the applicant's community and the
 419 potential adverse impacts such changes ~~realignment or closure~~
 420 will have on the applicant's community.

421 (d) In making grant awards the department ~~office~~ shall
422 consider, at a minimum, the following factors:

423 1. The relative value of the particular military
424 installation in terms of its importance to the local and state
425 economy relative to other military installations ~~vulnerable to~~
426 ~~closure~~.

427 2. The potential job displacement within the local
428 community should the mission of the military installation be
429 changed ~~closed~~.

430 3. The potential ~~adverse~~ impact on industries and
431 technologies which service the military installation.

432 ~~(4)~~⁽³⁾ The Florida Defense Reinvestment Grant Program
433 ~~Economic Reinvestment Initiative~~ is established to respond to
434 the need for this state to work in conjunction with defense-
435 dependent communities in developing and implementing strategies
436 and approaches that will help communities support the missions
437 of military installations, and in developing and implementing
438 ~~and defense-dependent communities in this state to develop~~
439 alternative economic diversification strategies to transition
440 from a defense economy to a nondefense economy ~~lessen reliance~~
441 ~~on national defense dollars in the wake of base closures and~~
442 ~~reduced federal defense expenditures and the need to formulate~~
443 ~~specific base reuse plans and identify any specific~~
444 ~~infrastructure needed to facilitate reuse.~~ Eligible applicants
445 include defense-dependent counties and cities, and local
446 economic development councils located within such communities.
447 The program initiative shall consist of the following ~~two~~
448 ~~distinct grant programs~~ to be administered by the department and

449 grant awards may be provided to support community-based
450 activities that:

451 (a) Protect existing military installations; ~~The Florida~~
452 ~~Defense Planning Grant Program, through which funds shall be~~
453 ~~used to analyze the extent to which the state is dependent on~~
454 ~~defense dollars and defense infrastructure and prepare~~
455 ~~alternative economic development strategies. The state shall~~
456 ~~work in conjunction with defense-dependent communities in~~
457 ~~developing strategies and approaches that will help communities~~
458 ~~make the transition from a defense economy to a nondefense~~
459 ~~economy. Grant awards may not exceed \$250,000 per applicant and~~
460 ~~shall be available on a competitive basis.~~

461 (b) Diversify the economy of a defense-dependent
462 community; ~~or The Florida Defense Implementation Grant Program,~~
463 ~~through which funds shall be made available to defense-dependent~~
464 ~~communities to implement the diversification strategies~~
465 ~~developed pursuant to paragraph (a). Eligible applicants include~~
466 ~~defense-dependent counties and cities, and local economic~~
467 ~~development councils located within such communities. Grant~~
468 ~~awards may not exceed \$100,000 per applicant and shall be~~
469 ~~available on a competitive basis. Awards shall be matched on a~~
470 ~~one-to-one basis.~~

471 (c) ~~The Florida Military Installation Reuse Planning and~~
472 ~~Marketing Grant Program, through which funds shall be used to~~
473 ~~help counties, cities, and local economic development councils~~
474 ~~Develop and implement~~ plans for the reuse of closed or realigned
475 military installations, including any plans necessary for
476 infrastructure improvements needed to facilitate reuse and

CS/CS/HB 977

2012

477 related marketing activities.

478

479 Applications for grants under this subsection must include a
480 coordinated program of work or plan of action delineating how
481 the eligible project will be administered and accomplished,
482 which must include a plan for ensuring close cooperation between
483 civilian and military authorities in the conduct of the funded
484 activities and a plan for public involvement.

485 (5)~~(4)~~ The Defense Infrastructure Grant Program is
486 created. The department shall coordinate and implement this
487 program, the purpose of which is to support local infrastructure
488 projects deemed to have a positive impact on the military value
489 of installations within the state. Funds are to be used for
490 projects that benefit both the local community and the military
491 installation. ~~It is not the intent, however, to fund on-base~~
492 ~~military construction projects.~~ Infrastructure projects to be
493 funded under this program include, but are not limited to, those
494 related to encroachment, transportation and access, utilities,
495 communications, housing, environment, and security. Grant
496 requests will be accepted only from economic development
497 applicants serving in the official capacity of a governing board
498 of a county, municipality, special district, or state agency
499 that will have the authority to maintain the project upon
500 completion. An applicant must represent a community or county in
501 which a military installation is located. There is no limit as
502 to the amount of any grant awarded to an applicant. A match by
503 the county or local community may be required. The program may
504 not be used to fund on-base military construction projects. The

505 department shall establish guidelines to implement the purpose
506 of this subsection.

507 ~~(5) (a) The Defense-Related Business Adjustment Program is~~
508 ~~hereby created. The department shall coordinate the development~~
509 ~~of the Defense-Related Business Adjustment Program. Funds shall~~
510 ~~be available to assist defense-related companies in the creation~~
511 ~~of increased commercial technology development through~~
512 ~~investments in technology. Such technology must have a direct~~
513 ~~impact on critical state needs for the purpose of generating~~
514 ~~investment-grade technologies and encouraging the partnership of~~
515 ~~the private sector and government defense-related business~~
516 ~~adjustment. The following areas shall receive precedence in~~
517 ~~consideration for funding commercial technology development: law~~
518 ~~enforcement or corrections, environmental protection,~~
519 ~~transportation, education, and health care. Travel and costs~~
520 ~~incidental thereto, and staff salaries, are not considered an~~
521 ~~"activity" for which grant funds may be awarded.~~

522 ~~(b) The department shall require that an applicant:~~

523 ~~1. Be a defense-related business that could be adversely~~
524 ~~affected by federal base realignment or closure or reduced~~
525 ~~defense expenditures.~~

526 ~~2. Agree to match at least 50 percent of any funds awarded~~
527 ~~by the United States Department of Defense in cash or in-kind~~
528 ~~services. Such match shall be directly related to activities for~~
529 ~~which the funds are being sought.~~

530 ~~3. Prepare a coordinated program or plan delineating how~~
531 ~~the funds will be administered.~~

532 ~~4. Provide documentation describing how defense-related~~

CS/CS/HB 977

2012

533 ~~realignment or closure will adversely impact defense-related~~
534 ~~companies.~~

535 ~~(6) The Retention of Military Installations Program is~~
536 ~~created. The department shall coordinate and implement this~~
537 ~~program.~~

538 ~~(6)(7)~~ The department may award nonfederal matching funds
539 specifically appropriated for construction, maintenance, and
540 analysis of a Florida defense workforce database. Such funds
541 will be used to create a registry of worker skills that can be
542 used to match the worker needs of companies that are relocating
543 to this state or to assist workers in relocating to other areas
544 within this state where similar or related employment is
545 available.

546 ~~(7)(8)~~ Payment of administrative expenses shall be limited
547 to no more than 10 percent of any grants issued pursuant to this
548 section.

549 ~~(8)(9)~~ The department shall establish guidelines to
550 implement and carry out the purpose and intent of this section.

551 Section 8. The powers, duties, functions, records,
552 personnel, property, pending issues, existing contracts,
553 administrative authority, administrative rules, and unexpended
554 balances of appropriations, allocations, and other funds of the
555 Florida Council on Military Base and Mission Support within the
556 Department of Economic Opportunity are transferred by a type two
557 transfer, as defined in s. 20.06(2), Florida Statutes, to the
558 Florida Defense Support Task Force within the Department of
559 Economic Opportunity.

560 Section 9. Section 288.984, Florida Statutes, is repealed.

561 Section 10. Subsections (1) and (2) of section 288.985,
 562 Florida Statutes, are amended to read:

563 288.985 Exemptions from public records and public meetings
 564 requirements.—

565 (1) The following records held by the Florida Defense
 566 Support Task Force ~~Council on Military Base and Mission Support~~
 567 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 568 Constitution:

569 (a) That portion of a record which relates to strengths
 570 and weaknesses of military installations or military missions in
 571 this state relative to the selection criteria for the
 572 realignment and closure of military bases and missions under any
 573 United States Department of Defense base realignment and closure
 574 process.

575 (b) That portion of a record which relates to strengths
 576 and weaknesses of military installations or military missions in
 577 other states or territories and the vulnerability of such
 578 installations or missions to base realignment or closure under
 579 the United States Department of Defense base realignment and
 580 closure process, and any agreements or proposals to relocate or
 581 realign military units and missions from other states or
 582 territories.

583 (c) That portion of a record which relates to the state's
 584 strategy to retain its military bases during any United States
 585 Department of Defense base realignment and closure process and
 586 any agreements or proposals to relocate or realign military
 587 units and missions.

588 (2) Meetings or portions of meetings of the Florida

589 ~~Defense Support Task Force Council on Military Base and Mission~~
 590 ~~Support~~, or a workgroup of the task force council, at which
 591 records are presented or discussed which are exempt under
 592 subsection (1) are exempt from s. 286.011 and s. 24(b), Art. I
 593 of the State Constitution.

594 Section 11. Subsections (2), (5), (6), and (7) of section
 595 288.987, Florida Statutes, are amended to read:

596 288.987 Florida Defense Support Task Force.—

597 (2) The mission of the task force is to make
 598 recommendations ~~to prepare the state to effectively compete in~~
 599 ~~any federal base realignment and closure action~~, to support the
 600 state's position in research and development related to or
 601 arising out of military missions and contracting, and to improve
 602 the state's military-friendly environment for service members,
 603 military dependents, military retirees, and businesses that
 604 bring military and base-related jobs to the state.

605 (5) The executive director of Department of Economic
 606 Opportunity ~~the Office of Tourism, Trade, and Economic~~
 607 ~~Development within the Executive Office of the Governor~~, or his
 608 or her designee, shall serve as the ex officio, nonvoting
 609 executive director of the task force.

610 (6) ~~The chair shall schedule and conduct the first meeting~~
 611 ~~of the task force by October 1, 2011.~~ The task force shall
 612 submit an annual ~~a~~ progress report and work plan ~~for the~~
 613 ~~remainder of the 2011-2012 fiscal year~~ to the Governor, the
 614 President of the Senate, and the Speaker of the House of
 615 Representatives ~~by February 1, 2012, and shall submit an annual~~
 616 ~~report~~ each February 1 thereafter.

CS/CS/HB 977

2012

617 (7) The department ~~Office of Tourism, Trade, and Economic~~
618 ~~Development~~ shall contract with the task force for expenditure
619 of appropriated funds, which may be used by the task force for
620 economic and product research and development, joint planning
621 with host communities to accommodate military missions and
622 prevent base encroachment, advocacy on the state's behalf with
623 federal civilian and military officials, assistance to school
624 districts in providing a smooth transition for large numbers of
625 additional military-related students, job training and placement
626 for military spouses in communities with high proportions of
627 active duty military personnel, and promotion of the state to
628 military and related contractors and employers. The task force
629 may annually spend up to \$200,000 of funds appropriated to the
630 department ~~Executive Office of the Governor, Office of Tourism,~~
631 ~~Trade, and Economic Development~~, for the task force for staffing
632 and administrative expenses of the task force, including travel
633 and per diem costs incurred by task force members who are not
634 otherwise eligible for state reimbursement.

635 Section 12. Section 295.187, Florida Statutes, is amended
636 to read:

637 295.187 Florida ~~Service-Disabled~~ Veteran Business
638 Enterprise Opportunity Act.—

639 (1) SHORT TITLE.—This section may be cited as the "Florida
640 ~~Service-Disabled~~ Veteran Business Enterprise Opportunity Act."

641 (2) INTENT.—It is the intent of the Legislature to rectify
642 the economic disadvantage of service-disabled veterans, who are
643 statistically the least likely to be self-employed when compared
644 to the veteran population as a whole and who have made

645 extraordinary sacrifices on behalf of the nation, the state, and
646 the public, by providing opportunities for service-disabled
647 veteran business enterprises as set forth in this section. The
648 Legislature also intends to recognize wartime veterans and
649 veterans of a period of war for their sacrifices as set forth in
650 this section.

651 (3) DEFINITIONS.—For the purpose of this section, the
652 term:

653 (a) "Certified ~~service-disabled~~ veteran business
654 enterprise" means a business that has been certified by the
655 Department of Management Services to be a ~~service-disabled~~
656 veteran business enterprise as defined in paragraph (c).

657 (b) "Service-disabled veteran" means a veteran who is a
658 permanent Florida resident with a service-connected disability
659 as determined by the United States Department of Veterans
660 Affairs or who has been terminated from military service by
661 reason of disability by the United States Department of Defense.

662 (c) "~~Service-disabled~~ Veteran business enterprise" means
663 an independently owned and operated business that:

- 664 1. Employs 200 or fewer permanent full-time employees;
- 665 2. Together with its affiliates has a net worth of \$5
666 million or less or, if a sole proprietorship, has a net worth of
667 \$5 million or less including both personal and business
668 investments;
- 669 3. Is organized to engage in commercial transactions;
- 670 4. Is domiciled in this state;
- 671 5. Is at least 51 percent owned by one or more wartime
672 veterans or service-disabled veterans; and

673 6. The management and daily business operations of which
 674 are controlled by one or more wartime veterans or service-
 675 disabled veterans or, for a service-disabled veteran ~~having~~ with
 676 a permanent and total disability, by the spouse or permanent
 677 caregiver of the veteran.

678 (d) "Wartime veteran" means:

679 1. A wartime veteran as defined in s. 1.01(14); or
 680 2. A veteran of a period of war, as used in 38 U.S.C. s.
 681 1521, who served in the active military, naval, or air service:

682 a. For 90 days or more during a period of war;
 683 b. During a period of war and was discharged or released
 684 from such service for a service-connected disability;

685 c. For a period of 90 consecutive days or more and such
 686 period began or ended during a period of war; or

687 d. For an aggregate of 90 days or more in two or more
 688 separate periods of service during more than one period of war.

689 (4) VENDOR PREFERENCE.—

690 (a) A state agency, when considering two or more bids,
 691 proposals, or replies for the procurement of commodities or
 692 contractual services, at least one of which is from a certified
 693 ~~service-disabled~~ veteran business enterprise, which ~~that~~ are
 694 equal with respect to all relevant considerations, including
 695 price, quality, and service, shall award such procurement or
 696 contract to the certified ~~service-disabled~~ veteran business
 697 enterprise.

698 (b) Notwithstanding s. 287.057(11), if a ~~service-disabled~~
 699 veteran business enterprise entitled to the vendor preference
 700 under this section and one or more businesses entitled to this

701 preference or another vendor preference provided by law submit
 702 bids, proposals, or replies for procurement of commodities or
 703 contractual services which ~~that~~ are equal with respect to all
 704 relevant considerations, including price, quality, and service,
 705 ~~then~~ the state agency shall award the procurement or contract to
 706 the business having the smallest net worth.

707 (c) Political subdivisions of the state are encouraged to
 708 offer a similar consideration to businesses certified under this
 709 section.

710 (5) CERTIFICATION PROCEDURE.—

711 (a) The application for certification as a ~~service-~~
 712 ~~disabled~~ veteran business enterprise must, at a minimum,
 713 include:

714 1. The name of the business enterprise applying for
 715 certification and the name of the ~~service-disabled~~ veteran
 716 submitting the application on behalf of the business enterprise.

717 2. The names of all owners of the business enterprise,
 718 including owners who are wartime veterans, service-disabled
 719 veterans, and owners who are not a wartime veteran or a service-
 720 disabled veteran ~~veterans~~, and the percentage of ownership
 721 interest held by each owner.

722 3. The names of all persons involved in both the
 723 management and daily operations of the business, including the
 724 spouse or permanent caregiver of a veteran who has ~~with~~ a
 725 permanent and total disability.

726 4. The service-connected disability rating of all persons
 727 listed under subparagraphs 1., 2., and 3., as applicable, with
 728 supporting documentation from the United States Department of

729 Veterans Affairs or the United States Department of Defense.

730 5. Documentation of the wartime service of all persons
731 listed under subparagraphs 1., 2., and 3., as applicable, from
732 the United States Department of Veterans Affairs or the United
733 States Department of Defense.

734 ~~6.5.~~ The number of permanent full-time employees.

735 ~~7.6.~~ The location of the business headquarters.

736 ~~8.7.~~ The total net worth of the business enterprise and
737 its affiliates. In the case of a sole proprietorship, the net
738 worth includes personal and business investments.

739 (b) To maintain certification, a ~~service-disabled~~ veteran
740 business enterprise shall renew its certification biennially.

741 (c) ~~The provisions of Chapter 120,~~ relating to
742 application, denial, and revocation procedures, applies shall
743 apply to certifications under this section.

744 (d) A certified ~~service-disabled~~ veteran business
745 enterprise must notify the Department of Management Services
746 within 30 business days after any event that may significantly
747 affect the certification of the business, including, but not
748 limited to, a change in ownership or change in management and
749 daily business operations.

750 (e) The certification of a ~~service-disabled~~ veteran
751 business enterprise shall be revoked for 12 months if the
752 Department of Management Services determines that the business
753 enterprise violated paragraph (d). An owner of a certified
754 ~~service-disabled~~ veteran business enterprise whose certification
755 is revoked may ~~is not permitted to~~ reapply for certification
756 under this section as an owner of any business enterprise during

757 the 12-month revocation period.

758 1. During the 12-month revocation period, a ~~service-~~
 759 ~~disabled~~ veteran business enterprise whose certification has
 760 been revoked may bid on state contracts but is not eligible for
 761 any preference available under this section.

762 2. A ~~service-disabled~~ veteran business enterprise whose
 763 certification has been revoked may apply for certification at
 764 the conclusion of the 12-month revocation period by complying
 765 with requirements applicable to initial certifications.

766 (6) DUTIES OF THE DEPARTMENT OF VETERANS' AFFAIRS.—The
 767 department shall:

768 (a) Assist the Department of Management Services in
 769 establishing a certification procedure, which shall be reviewed
 770 biennially and updated as necessary.

771 (b) Identify eligible ~~service-disabled~~ veteran business
 772 enterprises by any electronic means, including electronic mail
 773 or Internet website, or by any other reasonable means.

774 (c) Encourage and assist eligible ~~service-disabled~~ veteran
 775 business enterprises to apply for certification under this
 776 section.

777 (d) Provide information regarding services that are
 778 available from the Office of Veterans' Business Outreach of the
 779 Florida Small Business Development Center to ~~service-disabled~~
 780 veteran business enterprises.

781 (7) DUTIES OF THE DEPARTMENT OF MANAGEMENT SERVICES.—The
 782 department shall:

783 (a) With assistance from the Department of Veterans'
 784 Affairs, establish a certification procedure, which shall be

785 reviewed biennially and updated as necessary.

786 (b) Grant, deny, or revoke the certification of a ~~service-~~
 787 ~~disabled~~ veteran business enterprise under this section.

788 (c) Maintain an electronic directory of certified ~~service-~~
 789 ~~disabled~~ veteran business enterprises for use by the state,
 790 political subdivisions of the state, and the public.

791 (8) REPORT.—The Small Business Development Center shall
 792 include in its report required by s. 288.705 the percentage of
 793 certified ~~service-disabled~~ veteran business enterprises using
 794 the statewide contracts register.

795 (9) RULES.—The Department of Veterans' Affairs and the
 796 Department of Management Services, as appropriate, may adopt
 797 rules as necessary to administer this section.

798 Section 13. Effective October 1, 2012, section 320.089,
 799 Florida Statutes, is amended to read:

800 320.089 Members of National Guard and active United States
 801 Armed Forces reservists; former prisoners of war; survivors of
 802 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi
 803 Freedom and Operation Enduring Freedom Veterans; Combat Infantry
 804 Badge recipients; Vietnam War Veterans; Korean Conflict
 805 Veterans; special license plates; fee.—

806 (1) (a) Each owner or lessee of an automobile or truck for
 807 private use or recreational vehicle as specified in s.
 808 320.08(9)(c) or (d), which is not used for hire or commercial
 809 use, who is a resident of the state and an active or retired
 810 member of the Florida National Guard, a survivor of the attack
 811 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an
 812 active or retired member of any branch of the United States

CS/CS/HB 977

2012

813 Armed Forces Reserve, or a recipient of the Combat Infantry
814 Badge shall, upon application to the department, accompanied by
815 proof of active membership or retired status in the Florida
816 National Guard, proof of membership in the Pearl Harbor
817 Survivors Association or proof of active military duty in Pearl
818 Harbor on December 7, 1941, proof of being a Purple Heart medal
819 recipient, ~~or~~ proof of active or retired membership in any
820 branch of the Armed Forces Reserve, or proof of membership in
821 the Combat Infantrymen's Association, Inc., or other proof of
822 being a recipient of the Combat Infantry Badge, and upon payment
823 of the license tax for the vehicle as provided in s. 320.08, be
824 issued a license plate as provided by s. 320.06, upon which, in
825 lieu of the serial numbers prescribed by s. 320.06, shall be
826 stamped the words "National Guard," "Pearl Harbor Survivor,"
827 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry
828 Badge," as appropriate, followed by the serial number of the
829 license plate. Additionally, the Purple Heart plate may have the
830 words "Purple Heart" stamped on the plate and the likeness of
831 the Purple Heart medal appearing on the plate.

832 (b) Notwithstanding any other provision of law to the
833 contrary, beginning with fiscal year 2002-2003 and annually
834 thereafter, the first \$100,000 in general revenue generated from
835 the sale of license plates issued under this section shall be
836 deposited into the Grants and Donations Trust Fund, as described
837 in s. 296.38(2), to be used for the purposes established by law
838 for that trust fund. Any additional general revenue generated
839 from the sale of such plates shall be deposited into the State
840 Homes for Veterans Trust Fund and used solely to construct,

841 operate, and maintain domiciliary and nursing homes for
842 veterans, subject to the requirements of chapter 216.

843 (c) Notwithstanding any provisions of law to the contrary,
844 an applicant for a Pearl Harbor Survivor license plate or a
845 Purple Heart license plate who also qualifies for a disabled
846 veteran's license plate under s. 320.084 shall be issued the
847 appropriate special license plate without payment of the license
848 tax imposed by s. 320.08.

849 (2) Each owner or lessee of an automobile or truck for
850 private use, truck weighing not more than 7,999 pounds, or
851 recreational vehicle as specified in s. 320.08(9)(c) or (d),
852 which is not used for hire or commercial use, who is a resident
853 of the state and who is a former prisoner of war, or their
854 unremarried surviving spouse, shall, upon application therefor
855 to the department, be issued a license plate as provided in s.
856 320.06, on which license plate are stamped the words "Ex-POW"
857 followed by the serial number. Each application shall be
858 accompanied by proof that the applicant meets the qualifications
859 specified in paragraph (a) or paragraph (b).

860 (a) A citizen of the United States who served as a member
861 of the Armed Forces of the United States or the armed forces of
862 a nation allied with the United States who was held as a
863 prisoner of war at such time as the Armed Forces of the United
864 States were engaged in combat, or their unremarried surviving
865 spouse, may be issued the special license plate provided for in
866 this subsection without payment of the license tax imposed by s.
867 320.08.

868 (b) A person who was serving as a civilian with the

869 consent of the United States Government, or a person who was a
870 member of the Armed Forces of the United States who was not a
871 United States citizen and was held as a prisoner of war when the
872 Armed Forces of the United States were engaged in combat, or
873 their unremarried surviving spouse, may be issued the special
874 license plate provided for in this subsection upon payment of
875 the license tax imposed by s. 320.08.

876 (3) Each owner or lessee of an automobile or truck for
877 private use, truck weighing not more than 7,999 pounds, or
878 recreational vehicle as specified in s. 320.08(9)(c) or (d),
879 which is not used for hire or commercial use, who is a resident
880 of this state and who is the unremarried surviving spouse of a
881 recipient of the Purple Heart medal shall, upon application
882 therefor to the department, with the payment of the required
883 fees, be issued a license plate as provided in s. 320.06, on
884 which license plate are stamped the words "Purple Heart" and the
885 likeness of the Purple Heart medal followed by the serial
886 number. Each application shall be accompanied by proof that the
887 applicant is the unremarried surviving spouse of a recipient of
888 the Purple Heart medal.

889 (4) The owner or lessee of an automobile or truck for
890 private use, a truck weighing not more than 7,999 pounds, or a
891 recreational vehicle as specified in s. 320.08(9)(c) or (d)
892 which automobile, truck, or recreational vehicle is not used for
893 hire or commercial use who is a resident of the state and a
894 current or former member of the United States military who was
895 deployed and served in Iraq during Operation Iraqi Freedom or in
896 Afghanistan during Operation Enduring Freedom shall, upon

897 application to the department, accompanied by proof of active
898 membership or former active duty status during one of these
899 operations, and upon payment of the license tax for the vehicle
900 as provided in s. 320.08, be issued a license plate as provided
901 by s. 320.06 upon which, in lieu of the registration license
902 number prescribed by s. 320.06, shall be stamped the words
903 "Operation Iraqi Freedom" or "Operation Enduring Freedom," as
904 appropriate, followed by the registration license number of the
905 plate.

906 (5) The owner or lessee of an automobile or truck for
907 private use, a truck weighing not more than 7,999 pounds, or a
908 recreational vehicle as specified in s. 320.08(9)(c) or (d)
909 which automobile, truck, or recreational vehicle is not used for
910 hire or commercial use, who is a resident of the state and a
911 current or former member of the United States military, and who
912 was deployed and served in Vietnam during United States military
913 deployment in Indochina shall, upon application to the
914 department, accompanied by proof of active membership or former
915 active duty status during these operations, and upon payment of
916 the license tax for the vehicle as provided in s. 320.08, be
917 issued a license plate as provided by s. 320.06 upon which, in
918 lieu of the registration license number prescribed by s. 320.06,
919 shall be stamped the words "Vietnam War Veteran," followed by
920 the registration license number of the plate.

921 (6) The owner or lessee of an automobile or truck for
922 private use, a truck weighing not more than 7,999 pounds, or a
923 recreational vehicle as specified in s. 320.08(9)(c) or (d)
924 which automobile, truck, or recreational vehicle is not used for

CS/CS/HB 977

2012

925 hire or commercial use, who is a resident of the state and a
926 current or former member of the United States military, and who
927 was deployed and served in Korea during United States military
928 deployment in Korea shall, upon application to the department,
929 accompanied by proof of active membership or former active duty
930 status during these operations, and upon payment of the license
931 tax for the vehicle as provided in s. 320.08, be issued a
932 license plate as provided by s. 320.06 upon which, in lieu of
933 the registration license number prescribed by s. 320.06, shall
934 be stamped the words "Korean Conflict Veteran," followed by the
935 registration license number of the plate.

936 Section 14. Effective October 1, 2012, section 320.0892,
937 Florida Statutes, is created to read:

938 320.0892 Motor vehicle license plates for recipients of
939 the Silver Star, Distinguished Service Cross, Navy Cross, or Air
940 Force Cross.—Upon receipt of an application and proof that the
941 applicant meets the qualifications listed in this section for
942 the applicable license plate, the department shall issue the
943 license plate without payment of the license tax imposed under
944 s. 320.08:

945 (1) SILVER STAR.—Any United States citizen who is a
946 resident of Florida and who was awarded the Silver Star while
947 serving as a member of the United States Armed Forces shall be
948 issued a license plate on which is stamped the words "Silver
949 Star" followed by the serial number.

950 (2) DISTINGUISHED SERVICE CROSS.—Any United States citizen
951 who is a resident of Florida and who was awarded the
952 Distinguished Service Cross while serving as a member of the

CS/CS/HB 977

2012

953 United States Armed Forces shall be issued a license plate on
954 which is stamped the words "Distinguished Service Cross"
955 followed by the serial number.

956 (3) NAVY CROSS.—Any United States citizen who is a
957 resident of Florida and who was awarded the Navy Cross while
958 serving as a member of the United States Armed Forces shall be
959 issued a license plate on which is stamped the words "Navy
960 Cross" followed by the serial number.

961 (4) AIR FORCE CROSS.—Any United States citizen who is a
962 resident of Florida and who was awarded the Air Force Cross
963 while serving as a member of the United States Armed Forces
964 shall be issued a license plate on which is stamped the words
965 "Air Force Cross" followed by the serial number.

966 Section 15. Section 683.146, Florida Statutes, is created
967 to read:

968 683.146 Purple Heart Day.—

969 (1) August 7 of each year is designated as "Purple Heart
970 Day."

971 (2) The Governor may annually issue a proclamation
972 designating August 7 as "Purple Heart Day." Public officials,
973 schools, private organizations, and all residents of the state
974 are encouraged to commemorate Purple Heart Day and honor those
975 wounded or killed while serving in any branch of the United
976 States Armed Services.

977 Section 16. Sections 16 through 20 of this act may be
978 cited as the "T. Patt Maney Veterans' Treatment Intervention
979 Act."

CS/CS/HB 977

2012

980 Section 17. Section 394.47891, Florida Statutes, is
981 created to read:

982 394.47891 Military veterans and servicemembers court
983 programs.—The chief judge of each judicial circuit may establish
984 a Military Veterans and Servicemembers Court Program under which
985 veterans, as defined in s. 1.01, and servicemembers, as defined
986 in s. 250.01, who are convicted of a criminal offense and who
987 suffer from a mental illness, traumatic brain injury, or
988 substance abuse disorder as a result of their military service
989 can be sentenced in accordance with chapter 921 in a manner that
990 appropriately addresses the severity of the mental illness,
991 traumatic brain injury, or substance abuse disorder through
992 services tailored to the individual needs of the participant.
993 Entry into any Military Veterans and Servicemembers Court
994 Program must be based upon the sentencing court's assessment of
995 the defendant's criminal history, military service, substance
996 abuse treatment needs, mental health treatment needs,
997 amenability to the services of the program, the recommendation
998 of the state attorney and the victim, if any, and the
999 defendant's agreement to enter the program.

1000 Section 18. Present subsection (7) of section 948.08,
1001 Florida Statutes, is renumbered as subsection (8), and a new
1002 subsection (7) is added to that section, to read:

1003 948.08 Pretrial intervention program.—

1004 (7) (a) Notwithstanding any provision of this section, a
1005 person who is charged with a felony, other than a felony listed
1006 in s. 948.06(8)(c), and identified as a servicemember, as
1007 defined in s. 250.01, or veteran, as defined in s. 1.01, who

CS/CS/HB 977

2012

1008 suffers from a military service-related mental illness,
1009 traumatic brain injury, substance use disorder, or psychological
1010 problem, is eligible for voluntary admission into a pretrial
1011 veterans' treatment intervention program approved by the chief
1012 judge of the circuit, upon motion of either party or the court's
1013 own motion, except:

1014 1. If a defendant was previously offered admission to a
1015 pretrial veterans' treatment intervention program at any time
1016 before trial and the defendant rejected that offer on the
1017 record, the court may deny the defendant's admission to such a
1018 program.

1019 2. If a defendant previously entered a court-ordered
1020 veterans' treatment program, the court may deny the defendant's
1021 admission into the pretrial veterans' treatment program.

1022 (b) While enrolled in a pretrial intervention program
1023 authorized by this subsection, the participant shall be subject
1024 to a coordinated strategy developed by a veterans' treatment
1025 intervention team. The coordinated strategy should be modeled
1026 after the therapeutic jurisprudence principles and key
1027 components in s. 397.334(4), with treatment specific to the
1028 needs of servicemembers and veterans. The coordinated strategy
1029 may include a protocol of sanctions that may be imposed upon the
1030 participant for noncompliance with program rules. The protocol
1031 of sanctions may include, but need not be limited to, placement
1032 in a treatment program offered by a licensed service provider or
1033 in a jail-based treatment program or serving a period of
1034 incarceration within the time limits established for contempt of
1035 court. The coordinated strategy must be provided in writing to

CS/CS/HB 977

2012

1036 the participant before the participant agrees to enter into a
1037 pretrial veterans' treatment intervention program or other
1038 pretrial intervention program. Any person whose charges are
1039 dismissed after successful completion of the pretrial veterans'
1040 treatment intervention program, if otherwise eligible, may have
1041 his or her arrest record to the dismissed charges expunged under
1042 s. 943.0585.

1043 (c) At the end of the pretrial intervention period, the
1044 court shall consider the recommendation of the treatment program
1045 and the recommendation of the state attorney as to disposition
1046 of the pending charges. The court shall determine, by written
1047 finding, whether the defendant has successfully completed the
1048 pretrial intervention program. If the court finds that the
1049 defendant has not successfully completed the pretrial
1050 intervention program, the court may order the person to continue
1051 in education and treatment, which may include treatment programs
1052 offered by licensed service providers or jail-based treatment
1053 programs, or order that the charges revert to normal channels
1054 for prosecution. The court shall dismiss the charges upon a
1055 finding that the defendant has successfully completed the
1056 pretrial intervention program.

1057 Section 19. Section 948.16, Florida Statutes, is amended
1058 to read:

1059 948.16 Misdemeanor pretrial substance abuse education and
1060 treatment intervention program; misdemeanor pretrial veterans'
1061 treatment intervention program.-

1062 (1) (a) A person who is charged with a misdemeanor for
1063 possession of a controlled substance or drug paraphernalia under

1064 chapter 893, and who has not previously been convicted of a
1065 felony nor been admitted to a pretrial program, is eligible for
1066 voluntary admission into a misdemeanor pretrial substance abuse
1067 education and treatment intervention program, including a
1068 treatment-based drug court program established pursuant to s.
1069 397.334, approved by the chief judge of the circuit, for a
1070 period based on the program requirements and the treatment plan
1071 for the offender, upon motion of either party or the court's own
1072 motion, except, if the state attorney believes the facts and
1073 circumstances of the case suggest the defendant is involved in
1074 dealing and selling controlled substances, the court shall hold
1075 a preadmission hearing. If the state attorney establishes, by a
1076 preponderance of the evidence at such hearing, that the
1077 defendant was involved in dealing or selling controlled
1078 substances, the court shall deny the defendant's admission into
1079 the pretrial intervention program.

1080 (b) While enrolled in a pretrial intervention program
1081 authorized by this section, the participant is subject to a
1082 coordinated strategy developed by a drug court team under s.
1083 397.334(4). The coordinated strategy may include a protocol of
1084 sanctions that may be imposed upon the participant for
1085 noncompliance with program rules. The protocol of sanctions may
1086 include, but is not limited to, placement in a substance abuse
1087 treatment program offered by a licensed service provider as
1088 defined in s. 397.311 or in a jail-based treatment program or
1089 serving a period of incarceration within the time limits
1090 established for contempt of court. The coordinated strategy must
1091 be provided in writing to the participant before the participant

CS/CS/HB 977

2012

1092 | agrees to enter into a pretrial treatment-based drug court
1093 | program or other pretrial intervention program. Any person whose
1094 | charges are dismissed after successful completion of the
1095 | treatment-based drug court program, if otherwise eligible, may
1096 | have his or her arrest record and plea of nolo contendere to the
1097 | dismissed charges expunged under s. 943.0585.

1098 | (2) (a) A servicemember, as defined in s. 250.01, or
1099 | veteran, as defined in s. 1.01, who suffers from a military
1100 | service-related mental illness, traumatic brain injury,
1101 | substance use disorder, or psychological problem, and who is
1102 | charged with a misdemeanor is eligible for voluntary admission
1103 | into a misdemeanor pretrial veterans' treatment intervention
1104 | program approved by the chief judge of the circuit, for a period
1105 | based on the program's requirements and the treatment plan for
1106 | the offender, upon motion of either party or the court's own
1107 | motion. However, the court may deny the defendant admission into
1108 | a misdemeanor pretrial veterans' treatment intervention program
1109 | if the defendant has previously entered a court-ordered
1110 | veterans' treatment program.

1111 | (b) While enrolled in a pretrial intervention program
1112 | authorized by this section, the participant shall be subject to
1113 | a coordinated strategy developed by a veterans' treatment
1114 | intervention team. The coordinated strategy should be modeled
1115 | after the therapeutic jurisprudence principles and key
1116 | components in s. 397.334(4), with treatment specific to the
1117 | needs of servicemembers and veterans. The coordinated strategy
1118 | may include a protocol of sanctions that may be imposed upon the
1119 | participant for noncompliance with program rules. The protocol

CS/CS/HB 977

2012

1120 of sanctions may include, but need not be limited to, placement
1121 in a treatment program offered by a licensed service provider or
1122 in a jail-based treatment program or serving a period of
1123 incarceration within the time limits established for contempt of
1124 court. The coordinated strategy must be provided in writing to
1125 the participant before the participant agrees to enter into a
1126 misdemeanor pretrial veterans' treatment intervention program or
1127 other pretrial intervention program. Any person whose charges
1128 are dismissed after successful completion of the misdemeanor
1129 pretrial veterans' treatment intervention program, if otherwise
1130 eligible, may have his or her arrest record to the dismissed
1131 charges expunged under s. 943.0585.

1132 (3)-(2) At the end of the pretrial intervention period, the
1133 court shall consider the recommendation of the treatment program
1134 and the recommendation of the state attorney as to disposition
1135 of the pending charges. The court shall determine, by written
1136 finding, whether the defendant successfully completed the
1137 pretrial intervention program. Notwithstanding the coordinated
1138 strategy developed by a drug court team pursuant to s.
1139 397.334(4) or by the veterans' treatment intervention team, if
1140 the court finds that the defendant has not successfully
1141 completed the pretrial intervention program, the court may order
1142 the person to continue in education and treatment or return the
1143 charges to the criminal docket for prosecution. The court shall
1144 dismiss the charges upon finding that the defendant has
1145 successfully completed the pretrial intervention program.

1146 (4)-(3) Any public or private entity providing a pretrial
1147 substance abuse education and treatment program under this

CS/CS/HB 977

2012

1148 section shall contract with the county or appropriate
1149 governmental entity. The terms of the contract shall include,
1150 but not be limited to, the requirements established for private
1151 entities under s. 948.15(3). This requirement does not apply to
1152 services provided by the Department of Veterans' Affairs or the
1153 United States Department of Veterans Affairs.

1154 Section 20. Section 948.21, Florida Statutes, is created
1155 to read:

1156 948.21 Condition of probation or community control;
1157 military servicemembers and veterans.—Effective for a
1158 probationer or community controllee whose crime was committed on
1159 or after July 1, 2012, and who is a servicemember, as defined in
1160 s. 250.01, or veteran, as defined in s. 1.01, who suffers from a
1161 military service-related mental illness, traumatic brain injury,
1162 or substance abuse disorder, the court may, in addition to any
1163 other conditions imposed, impose a condition requiring the
1164 probationer or community controllee to participate in a
1165 treatment program capable of treating the probationer or
1166 community controllee's mental illness, traumatic brain injury,
1167 or substance abuse disorder. The court shall give preference to
1168 treatment programs for which the probationer or community
1169 controllee is eligible through the United States Department of
1170 Veterans Affairs or the Florida Department of Veterans' Affairs.
1171 The Department of Corrections is not required to spend state
1172 funds to implement this section.

1173 Section 21. Section 1004.075, Florida Statutes, is created
1174 to read:

1175 1004.075 Priority course registration for veterans.—Each
 1176 Florida College System institution and state university that
 1177 offers priority course registration for a segment of the student
 1178 population, or upon implementation of priority course
 1179 registration for a segment of the student population, shall
 1180 provide priority course registration for each veteran of the
 1181 United States Armed Forces who is receiving GI Bill educational
 1182 benefits or for the spouse or dependent children of the veteran
 1183 to whom the GI Bill educational benefits have been transferred.
 1184 Each eligible veteran, or his or her spouse or dependent
 1185 children, shall be granted priority for course registration
 1186 until the expiration of the GI Bill educational benefits.

1187 Section 22. Section 1005.09, Florida Statutes, is created
 1188 to read:

1189 1005.09 Priority course registration for veterans.—Each
 1190 independent postsecondary educational institution defined in s.
 1191 1005.02(11) that offers priority course registration for a
 1192 segment of the student population, or upon implementation of
 1193 priority course registration for a segment of the student
 1194 population, is encouraged to provide priority course
 1195 registration for each veteran of the United States Armed Forces,
 1196 or his or her spouse or dependent children, who is receiving GI
 1197 Bill educational benefits, in accordance with s. 1004.075.

1198 Section 23. SP4 Thomas Berry Corbin Memorial Highway
 1199 designated; Department of Transportation to erect suitable
 1200 markers.—

1201 (1) That portion of U.S. Highway 19/27A/98/State Road 55
 1202 between the Suwannee River Bridge and N.E. 592nd Street/Chavous

CS/CS/HB 977

2012

1203 Road/Kate Green Road in Dixie County is designated as "SP4
 1204 Thomas Berry Corbin Memorial Highway."

1205 (2) The Department of Transportation is directed to erect
 1206 suitable markers designating SP4 Thomas Berry Corbin Memorial
 1207 Highway as described in subsection (1).

1208 Section 24. U.S. Navy BMC Samuel Calhoun Chavous, Jr.,
 1209 Memorial Highway designated; Department of Transportation to
 1210 erect suitable markers.—

1211 (1) That portion of U.S. Highway 19/98/State Road 55
 1212 between N.E. 592nd Street/Chavous Road/Kate Green Road and N.E.
 1213 170th Street in Dixie County is designated as "U.S. Navy BMC
 1214 Samuel Calhoun Chavous, Jr., Memorial Highway."

1215 (2) The Department of Transportation is directed to erect
 1216 suitable markers designating U.S. Navy BMC Samuel Calhoun
 1217 Chavous, Jr., Memorial Highway as described in subsection (1).

1218 Section 25. Marine Lance Corporal Brian R. Buesing
 1219 Memorial Highway designated; Department of Transportation to
 1220 erect suitable markers.—

1221 (1) That portion of State Road 24 between County Road 347
 1222 and Bridge Number 340053 in Levy County is designated as "Marine
 1223 Lance Corporal Brian R. Buesing Memorial Highway."

1224 (2) The Department of Transportation is directed to erect
 1225 suitable markers designating Marine Lance Corporal Brian R.
 1226 Buesing Memorial Highway as described in subsection (1).

1227 Section 26. United States Army Sergeant Karl A. Campbell
 1228 Memorial Highway designated; Department of Transportation to
 1229 erect suitable markers.—

1230 (1) That portion of U.S. Highway 19/98/State Road 55/S.

1231 Main Street between N.W. 1st Avenue and S.E. 2nd Avenue in Levy
 1232 County is designated as "United States Army Sergeant Karl A.
 1233 Campbell Memorial Highway."

1234 (2) The Department of Transportation is directed to erect
 1235 suitable markers designating United States Army Sergeant Karl A.
 1236 Campbell Memorial Highway as described in subsection (1).

1237 Section 27. U.S. Army SPC James A. Page Memorial Highway
 1238 designated; Department of Transportation to erect suitable
 1239 markers.—

1240 (1) That portion of U.S. Highway 27A/State Road
 1241 500/Hathaway Avenue between State Road 24/Thrasher Drive and
 1242 Town Court in Levy County is designated as "U.S. Army SPC James
 1243 A. Page Memorial Highway."

1244 (2) The Department of Transportation is directed to erect
 1245 suitable markers designating U.S. Army SPC James A. Page
 1246 Memorial Highway as described in subsection (1).

1247 Section 28. USS Stark Memorial Drive designated;
 1248 Department of Transportation to erect suitable markers.—

1249 (1) That portion of State Road 101/Mayport Road between
 1250 State Road A1A and Wonderwood Connector in Duval County is
 1251 designated as "USS Stark Memorial Drive."

1252 (2) The Department of Transportation is directed to erect
 1253 suitable markers designating USS Stark Memorial Drive as
 1254 described in subsection (1).

1255 Section 29. Captain Jim Reynolds, Jr., USAF "Malibu" Road
 1256 designated; Department of Transportation to erect suitable
 1257 markers.—

1258 (1) That portion of State Road 44 between U.S. Highway 441

1259 and State Road 44/East Orange Avenue near the City of Eustis in
 1260 Lake County is designated as "Captain Jim Reynolds, Jr., USAF
 1261 'Malibu' Road."

1262 (2) The Department of Transportation is directed to erect
 1263 suitable markers designating Captain Jim Reynolds, Jr., USAF
 1264 "Malibu" Road as described in subsection (1).

1265 Section 30. Veterans Memorial Highway designated;
 1266 Department of Transportation to erect suitable markers.—

1267 (1) That portion of State Road 19 between U.S. 17/State
 1268 Road 15 and Carriage Drive in Putnam County is designated as
 1269 "Veterans Memorial Highway."

1270 (2) The Department of Transportation is directed to erect
 1271 suitable markers designating Veterans Memorial Highway as
 1272 described in subsection (1).

1273 Section 31. U.S. Army Sergeant Robert Daniel Sanchez
 1274 Memorial Highway designated; Department of Transportation to
 1275 erect suitable markers.—

1276 (1) That portion of State Road 513 between Banana River
 1277 Drive and Eau Gallie Boulevard in Brevard County is designated
 1278 as "U.S. Army Sergeant Robert Daniel Sanchez Memorial Highway."

1279 (2) The Department of Transportation is directed to erect
 1280 suitable markers designating U.S. Army Sergeant Robert Daniel
 1281 Sanchez Memorial Highway as described in subsection (1).

1282 Section 32. U.S. Marine Corps Corporal Dustin Schrage
 1283 Highway designated; Department of Transportation to erect
 1284 suitable markers.—

1285 (1) That portion of State Road A1A between Pinetree Drive
 1286 and Eau Gallie Boulevard in Brevard County is designated as

CS/CS/HB 977

2012

1287 "U.S. Marine Corps Corporal Dustin Schrage Highway."

1288 (2) The Department of Transportation is directed to erect
 1289 suitable markers designating U.S. Marine Corps Corporal Dustin
 1290 Schrage Highway as described in subsection (1).

1291 Section 33. Purple Heart Memorial Highway designated;
 1292 Department of Transportation to erect suitable markers.-

1293 (1) That portion of State Road 20/John Sims Parkway (57-
 1294 040-000) between State Road 85 and the Walton County Line in
 1295 Okaloosa County is designated as "Purple Heart Memorial
 1296 Highway."

1297 (2) The Department of Transportation is directed to erect
 1298 suitable markers designating Purple Heart Memorial Highway as
 1299 described in subsection (1).

1300 Section 34. Except as otherwise expressly provided in this
 1301 act, this act shall take effect July 1, 2012.