

26 ~~determine whether the defendant meets the eligibility~~
 27 ~~requirements in subsection (8).~~

28 (8) ELIGIBILITY.—

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

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

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

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

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

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

47 3. The defendant's criminal history and whether the
 48 defendant previously participated in a veterans treatment court
 49 program or similar program.

50 4. Whether the defendant's needs exceed the treatment

51 resources available to the veterans treatment court program.

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

55 6. Recommendations of any law enforcement agency involved
56 in investigating or arresting the defendant.

57 7. If the defendant owes restitution, the likelihood of
58 payment during the defendant's participation in the veterans
59 treatment court program.

60 8. Any mitigating circumstances.

61 9. Any other circumstances reasonably related to the
62 defendant's case.

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

65 948.01 When court may place defendant on probation or into
66 community control.—

67 (9) (a) Notwithstanding s. 921.0024 and effective for
68 offenses committed on or after July 1, 2016, the sentencing
69 court may place the defendant into a postadjudicatory veterans
70 treatment court program if the offense is a nonviolent felony,
71 the defendant is a servicemember or veteran as defined in s.
72 394.47891(2), and the defendant is otherwise qualified to
73 participate in a veterans treatment court program under s.
74 394.47891(8). Satisfactory completion of the program must be a
75 condition of the defendant's probation or community control. As

76 used in this subsection, the term "nonviolent felony" means a
77 third degree felony violation under chapter 810 or any other
78 felony offense that is not a forcible felony as defined in s.
79 776.08.

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

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

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