

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Criminal Justice

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BILL: SB 50

INTRODUCER: Senator Gaetz

SUBJECT: Veterans Affairs

DATE: January 9, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wyant	Stokes	CJ	<b>Pre-meeting</b>
2.			JU	
3.			RC	

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**I. Summary:**

SB 50 amends s. 394.47891, F.S., to revise the admissions process for veterans treatment court programs. The bill authorizes the court, in consultation with the multidisciplinary team, to determine whether the defendant meets the eligibility criteria for the treatment court program.

The bill removes language requiring a defendant to submit an application to the state attorney for approval to participate in the program.

Further, the bill amends s. 948.01, F.S., to authorize sentencing courts to place defendants into a postadjudicatory veterans treatment court program if the offense is a nonviolent felony, the defendant is a servicemember or veteran, and the defendant is otherwise eligible to participate as determined by s. 394.47891, F.S. Satisfactory completion of the program must be a condition of the defendant's probation or community control.

The bill may have an indeterminate fiscal impact on the Office of the State Courts Administrator. See *Section V. Fiscal Impact Statement*.

The bill takes effect on July 1, 2026.

**II. Present Situation:**

Veterans have unique experiences and face unique challenges. As a result, they have unique needs. The problem-solving court team within the Office of the State Courts Administrator's, Office of Court Improvement was created to foster the development and expansion of the successful drug court concept throughout Florida.<sup>1</sup>

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<sup>1</sup> Office of the State Court Administrator, Veterans Resource Guide, *Office of the State Courts Administrator*, pg 17, available at: [https://flcourts-media.flcourts.gov/content/download/2450937/file/VETERANS\\_RESOURCE\\_GUIDE\\_ADA-Compliant.pdf](https://flcourts-media.flcourts.gov/content/download/2450937/file/VETERANS_RESOURCE_GUIDE_ADA-Compliant.pdf) (last visited January 6, 2026).

Veterans courts are designed to assist justice-involved defendants with the complex treatment needs associated with substance abuse, mental health, and other issues unique to the traumatic experience of war. Some veterans returning home from war find it difficult to integrate back into the community. Veterans courts involve cooperation and collaboration with traditional partners found in drug courts, such as the judge, state attorney, public defender, case manager, treatment provider, probation, and law enforcement. Added to this interdisciplinary team are representatives of the Veterans Health Administration and the Veterans Benefit Administration – as well as State Departments of Veteran Affairs, Vet Centers, Veterans Service Organizations, Department of Labor, volunteer veteran mentors, and other veteran support groups.<sup>2</sup>

It is the intent of the Legislature to encourage and support the judicial circuits of the state and other agencies, local governments, interested public and private entities, and individuals to create and maintain a veterans treatment court program in each judicial circuit.<sup>3</sup> A court with jurisdiction over criminal cases may create and administer a veterans treatment court program that may adjudicate misdemeanors and felonies.<sup>4</sup>

As of October 2025, Florida has 33 veterans courts in operation. Florida veterans courts admitted 683 participants in 2024. The following are key components of veterans courts:<sup>5</sup>

- Integration of alcohol, drug treatment, and mental health services into justice system case processing;<sup>6</sup>
- Non-adversarial approach;<sup>7</sup>
- Early identification of eligible participants;<sup>8</sup>
- Continuum of services;
- Alcohol and drug testing for abstinence;<sup>9</sup>
- Coordinated strategy for responses to participants' compliance;
- Ongoing judicial interaction;<sup>10</sup>
- Monitoring and evaluation for program effectiveness;
- Interdisciplinary education; and,
- Partnerships with stakeholders.<sup>11</sup>

A defendant<sup>12</sup> seeking to participate in a veterans treatment court program must submit an application to the state attorney and the state attorney must review each application to determine whether the defendant meets the eligibility requirements. A defendant may participate in the

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<sup>2</sup> Florida Courts, Veteran Courts, *Background*, available at: <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/veterans-courts> (last visited January 6, 2026).

<sup>3</sup> Section 394.47891(1), F.S.

<sup>4</sup> Section 394.47891(3)(a)-(b), F.S.

<sup>5</sup> Florida Courts, Veteran Courts, *Current Status*, available at: <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/veterans-courts> (last visited January 6, 2026).

<sup>6</sup> Required by s. 394.47891(6)(a)1., F.S.

<sup>7</sup> Required by s. 394.47891(6)(a)2., F.S.

<sup>8</sup> Required by s. 394.47891(6)(a)3., F.S.

<sup>9</sup> Required by s. 394.47891(6)(a)4., F.S.

<sup>10</sup> Required by s. 394.47891(6)(a)5., F.S.

<sup>11</sup> Required by s. 394.47891(6)(a)7., F.S.

<sup>12</sup> “Defendant” means a veteran or servicemember who has been charged with or convicted of a criminal offense. Section 394.47891(2)(a), F.S.

program if he or she is approved by the state attorney, in consultation with the court, and meets the following criteria:<sup>13</sup>

- The defendant has a service-related mental health condition, service-related traumatic brain injury, service-related substance use disorder, or service-related psychological problem or has experienced military sexual trauma.<sup>14</sup>
- The defendant's participation in the veterans treatment court program is in the interest of justice and of benefit to the defendant and the community.

In making the determination, the state attorney, in consultation with the court, must consider:<sup>15</sup>

- The nature and circumstances of the offense charged.
- The special characteristics or circumstances of the defendant and any victim or alleged victim, including any recommendation of the victim or alleged victim.
- The defendant's criminal history and whether the defendant previously participated in a veterans treatment court program or similar program.
- Whether the defendant's needs exceed the treatment resources available to the veterans treatment court program.
- The impact on the community of the defendant's participation and treatment in the veterans treatment court program.
- Recommendations of any law enforcement agency involved in investigating or arresting the defendant.
- If the defendant owes restitution, the likelihood of payment during the defendant's participation in the veterans treatment court program.
- Any mitigating circumstances.
- Any other circumstances reasonably related to the defendant's case.

A defendant who meets the eligibility requirements may be admitted to a veterans treatment court program at any stage of a criminal proceeding.<sup>16</sup> A veteran or servicemember does not have a right to participate in a veterans treatment court program.<sup>17</sup>

The chief judge and state attorney of the judicial circuit have the exclusive authority to determine whether veterans who have been dishonorably discharged may participate in the program.<sup>18</sup>

### ***Postadjudicatory Probation or Community Control***

Section 948.01, F.S., provides when the court may place a defendant on probation or community control.<sup>19</sup> The sentencing court may place the defendant into a postadjudicatory treatment-based drug court program under certain circumstances including that the defendant otherwise qualifies

<sup>13</sup> Section 394.47891(8)(a), F.S.

<sup>14</sup> "Military sexual trauma" means psychological trauma that results from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while a servicemember or veteran was serving on active duty, active duty for training, or inactive duty training. Section 394.47891(2)(b), F.S.

<sup>15</sup> Section 394.47891(8)(b), F.S.

<sup>16</sup> Section 394.47891(4), F.S.

<sup>17</sup> Section 394.47891(10), F.S.

<sup>18</sup> Section 394.47891(3)(d), F.S.

<sup>19</sup> Section 948.01(2), F.S.

under s. 397.334(3), F.S.<sup>20</sup> Additionally, the sentencing court may place the defendant into a post adjudicatory mental health court program under certain circumstances and the defendant otherwise qualifies under s. 394.47892(4), F.S.<sup>21</sup>

There is no provision in section 948.01, F.S., that addresses when a court may place a defendant in a postadjudicatory treatment court program specialized for veterans and servicemembers.

### III. Effect of Proposed Changes:

The bill amends s. 394.47891, F.S., to revise the admissions process for veterans treatment court programs. The bill authorizes the court, in consultation with the multidisciplinary team, to determine whether the defendant meets the eligibility criteria for the treatment court program.

The bill removes language requiring a defendant to submit an application to the state attorney for approval to participate in the program.

Further, the bill amends s. 948.01, F.S., to authorize sentencing courts to place defendants into a postadjudicatory veterans treatment court program if:

- The offense is a nonviolent felony<sup>22</sup> committed on or after July 1, 2016;
- The defendant is a servicemember or veteran; and,
- The defendant is otherwise eligible to participate.

The defendant must be fully advised of the purpose of the veterans treatment court program and agree to enter the program. The sentencing court must relinquish jurisdiction to the veterans treatment court program until:

- The defendant is no longer active in the program,
- The case is returned to the sentencing court due to the defendant's termination from the program for failure to comply with the terms of the program; or,
- The defendant's sentence is completed.

A defendant sentenced to postadjudicatory veterans treatment court program who violates probation or community control will have such violation heard by the judge presiding over the postadjudicatory veterans treatment court program. The judge must dispose of any such violation, after a hearing or admission of the violation, as he or she deems appropriate if the resulting sentence or conditions are lawful.

Satisfactory completion of the program must be a condition of the defendant's probation or community control.

The bill takes effect on July 1, 2026.

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<sup>20</sup> Section 948.01(7)(a), F.S.

<sup>21</sup> Section 948.07(8)(a), F.S.

<sup>22</sup> For the purposes of s. 948.01(9), F.S., "Nonviolent felony" means a third degree felony violation under ch. 810, F.S., or any other felony offense that is not a forcible felony as defined in s. 776.08, F.S.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

The bill does not appear to require the cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

Funding for problem solving treatment courts is generally received by legislative appropriation, grants, and local community resources funded by other entities.

The Office of the State Courts Administrator agency analysis provided the following statement regarding expenditures:

“The fiscal impact of this legislation cannot be accurately determined due to the unavailability of data needed to quantifiably establish the effects on judicial time and workload resulting in revising approval requirements for veterans treatment court admissions...However, legislation that may increase participation in veterans treatment

court programs could result in a fiscal impact to the trial courts problem-solving courts special funding category.”<sup>23</sup>

Potential cost incurred by an increase in participants may be offset by applicable offenders being diverted from detention or incarceration.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends sections 394.47891 and 948.01 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

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<sup>23</sup> Office of the State Courts Administrator, *Agency Bill Analysis for SB50*, (on file with the Senate Committee on Criminal Justice).