

## CHAPTER 2026-128

### Committee Substitute for Committee Substitute for House Bill No. 199

An act relating to veterans affairs; amending s. 394.47891, F.S.; revising the admissions process for veterans treatment court programs; authorizing the court, in consultation with the multidisciplinary team, to determine eligibility for veterans treatment court programs; requiring the court to consider the recommendation of the state attorney when making an eligibility determination; amending s. 948.01, F.S.; authorizing sentencing courts to divert defendants to veterans treatment court programs under certain circumstances; requiring certain notice be provided to defendants; providing for disposition of probation or community control violations by program participants; providing an effective date.

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

Section 1. Subsections (4) and (8) of section 394.47891, Florida Statutes, are amended to read:

394.47891 Veterans treatment court programs.—

(4) ADMISSION.—A defendant who meets the eligibility requirements provided in ~~under~~ subsection (8) may be admitted to a veterans treatment court program at any stage of a criminal proceeding. ~~A defendant seeking to participate in a veterans treatment court program must submit an application to the state attorney. The state attorney must review each application and determine whether the defendant meets the eligibility requirements in subsection (8).~~

(8) ELIGIBILITY.—

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

1. 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.

2. 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.

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

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

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

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

(9)(a) Notwithstanding s. 921.0024 and effective for offenses committed on or after July 1, 2026, the sentencing court may place the defendant into a postadjudicatory veterans treatment court program if the offense is a nonviolent felony, the defendant is a servicemember or veteran as defined in s. 394.47891(2), and the defendant is otherwise qualified to participate in a veterans treatment court program under s. 394.47891(8). Satisfactory completion of the program must be a condition of the defendant's probation or community control. As used in this subsection, the term "nonviolent felony" means a third degree felony violation under chapter 810 or any other felony offense that is not a forcible felony as defined in s. 776.08.

(b) The defendant must be fully advised of the purpose of the veterans treatment court program, and the defendant must agree to enter the program. The original sentencing court shall relinquish jurisdiction of the defendant's case to the postadjudicatory 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.

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

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

Approved by the Governor June 11, 2026.

Filed in Office Secretary of State June 11, 2026.