

1 A bill to be entitled
 2 An act relating to a military service option for
 3 certain criminal offenders; creating s. 921.00242,
 4 F.S.; providing that certain criminal offenders may
 5 enlist in the military in lieu of incarceration under
 6 certain circumstances; providing requirements;
 7 providing for resentencing if requirements are not
 8 met; providing an effective date.

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

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 12 Section 1. Section 921.00242, Florida Statutes, is created
 13 to read:

14 921.00242 Military service option.—

15 (1) A court may permit an offender who is 25 years of age
 16 or younger to enlist in the Armed Forces of the United States as
 17 provided in subsection (2) and complete the requirements of that
 18 subsection or be sentenced as provided in subsection (3). An
 19 offender may enlist in lieu of a prison sanction if the offender
 20 meets all of the following criteria:

21 (a) The offender's primary offense is a misdemeanor.

22 (b) The offender's total maximum possible imprisonment for
 23 all offenses for which he or she is being sentenced is not more
 24 than 4 years.

25 (c) The offender has not been convicted of an offense or,

26 if the offender has prior convictions, is not a habitual felony
27 offender, a habitual violent felony offender, or a violent
28 career criminal under s. 775.084.

29 (d) The offender's primary offense does not require a
30 minimum mandatory sentence.

31 (2) The offender shall enlist in a branch of the Armed
32 Forces of the United States and must:

33 (a) Achieve a minimum acceptable score on the Armed
34 Services Vocational Aptitude Battery (ASVAB) test.

35 (b) Successfully complete basic training.

36 (c) Successfully complete his or her first term of
37 enlistment.

38 (d) Satisfy all fines and other financial obligations
39 imposed for the offense by the completion of his or her first
40 term of enlistment.

41 (3) The court shall retain jurisdiction of the offender
42 until all of the requirements in subsection (2) are completed.
43 If an offender fails to complete any of the requirements in
44 subsection (2), the offender shall be ordered to return to the
45 sentencing court to be resentenced.

46 Section 2. This act shall take effect July 1, 2022.