

1 THE DISTRICT ATTORNEY AND ANY VICTIM IN A VICTIM'S RIGHTS CASE,
2 MAY PETITION THE COURT TO TRANSFER THE SUPERVISION OF ANY POST
3 DISPOSITION OF THE CASE TO A JURISDICTION WITH A VETERANS
4 TREATMENT COURT.

5 (2) A DEFENDANT FILING A PETITION PURSUANT TO SUBSECTION (1)
6 OF THIS SECTION MUST IDENTIFY THE JURISDICTION WHERE THE
7 SUPERVISION OF THE PROBATION IN THE CASE MAY BE TRANSFERRED AND
8 THE SERVICES OR SUPPORTS AVAILABLE IN THAT JURISDICTION'S VETERANS
9 TREATMENT COURT THAT THE DEFENDANT IS SEEKING TO ACCESS.

10 (3) WHEN A COURT RECEIVES A PETITION PURSUANT TO
11 SUBSECTION (1) OF THIS SECTION, THE COURT SHALL CONFER WITH THE
12 JUDGE ADMINISTERING THE VETERANS TREATMENT COURT IN THE
13 JURISDICTION IDENTIFIED IN THE PETITION AND THE DISTRICT ATTORNEY
14 OF THE JURISDICTION IDENTIFIED IN THE PETITION. THE COURT MAY GRANT
15 THE PETITION TO TRANSFER THE SUPERVISION OF PROBATION IN THE CASE
16 IF THE VETERANS TREATMENT COURT AND THE DISTRICT ATTORNEY IN THE
17 HOSTING JURISDICTION CONSENT TO THE TRANSFER AND THAT
18 JURISDICTION HAS THE CURRENT ABILITY TO PROVIDE THE RESOURCES AND
19 SUPPORT NECESSARY TO RESPONSIBLY ACCEPT THE TRANSFER.

20 (4) IF THE HOST JURISDICTION FILES A MOTION FOR REVOCATION
21 OF THE VETERANS TREATMENT COURT PROGRAM PROBATION, THE HOST
22 JURISDICTION SHALL CONDUCT THE REVOCATION HEARING. IF PROBATION
23 IS REVOKED, THE HOST JURISDICTION SHALL REFER THE MATTER TO THE
24 ORIGINAL JURISDICTION FOR RESENTENCING.

25 (5) NOTHING IN THIS SECTION PROHIBITS THE HOST JURISDICTION
26 FROM UTILIZING PROGRAM POLICIES RELATED TO MINOR VIOLATIONS THAT
27 ARE TYPICALLY ADDRESSED THROUGH GRADUATED SANCTIONS.

28 **SECTION 3. Act subject to petition - effective date.** This act
29 takes effect at 12:01 a.m. on the day following the expiration of the
30 ninety-day period after final adjournment of the general assembly; except
31 that, if a referendum petition is filed pursuant to section 1 (3) of article V
32 of the state constitution against this act or an item, section, or part of this
33 act within such period, then the act, item, section, or part will not take
34 effect unless approved by the people at the general election to be held in
35 November 2022 and, in such case, will take effect on the date of the
36 official declaration of the vote thereon by the governor."

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