

Committee on Children, Families, and Elder Affairs

CS/CS/CS/HB 1125 — Eligibility for Employment as Child Care Personnel

by Health and Human Services Committee; Criminal Justice Subcommittee; Children, Families, and Seniors Subcommittee; and Rep. McBurney and others (CS/SB 1420 by Children, Families, and Elder Affairs Committee and Senators Bean and Gaetz)

The bill prohibits the Department of Children and Families from removing a disqualification from employment or granting exemption for employment as child care personnel to persons who have been:

- Registered as a sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C) and are subject to the registration requirements under the Adam Walsh Child Protection and Safety Act; or
- Arrested for and are awaiting final disposition of, found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or have been adjudicated delinquent and the record has not been sealed or expunged for certain state felonies and misdemeanors enumerated in the bill. The list of crimes in the bill is more comprehensive than those in federal law and less comprehensive than the list in current Florida law.

Such individuals are disqualified from employment with a child care provider notwithstanding any prior exemption from disqualification.

The bill requires that any person employed by a child care provider on July 1, 2016, who has been granted an exemption to a disqualification from employment must be rescreened no later than August 1, 2016. The bill also provides that the provisions of this bill related to exemptions from disqualification from employment will supersede the provisions of CS/HB 7053 if that bill were to pass this session and become law.

CS/HB 7053 contains all of the provisions necessary for Florida to be in compliance with the federal reauthorization of the Child Care and Development Block Grant. The changes to s. 435.07, F.S., only apply to child care personnel working for providers who receive block grant funds whereas the provisions in CS/CS/CS/HB 1125 apply to all child care personnel. Further, CS/CS/CS/HB 1125 requires all child care personnel currently employed as the result of receiving an exemption be rescreened by August 1, 2016.

If approved by the Governor, these provisions take effect July 1, 2016

Vote: Senate 38-0; House 116-0