

Bill No. CS for SB 2448

Amendment No. 4

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 The Committee on Governmental Oversight and Productivity  
 12 recommended the following amendment:

14 **Senate Amendment (with title amendment)**

15 On page 17, between lines 9 and 10,  
 16  
 17 insert:

18 Section 19. Section 455.2255, Florida Statutes, is  
 19 created to read:

20 455.2255 Classification of disciplinary actions.--  
 21 (1) A licensee may petition the department to review a  
 22 disciplinary incident to determine whether the specific  
 23 violation meets the standard of a minor violation as set forth  
 24 in s. 455.225(3). If the circumstances of the violation meet  
 25 that standard and 2 years have passed since the issuance of a  
 26 final order imposing discipline, the department shall  
 27 reclassify that violation as inactive if the licensee has not  
 28 been disciplined for any subsequent minor violation of the  
 29 same nature. After the department has reclassified the  
 30 violation as inactive, it is no longer considered to be part  
 31 of the licensee's disciplinary record, and the licensee may

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1 lawfully deny or fail to acknowledge the incident as a  
2 disciplinary action.

3 (2) The department may establish a schedule  
4 classifying violations according to the severity of the  
5 violation. After the expiration of set periods of time, the  
6 department may provide for such disciplinary records to become  
7 inactive, according to their classification. After the  
8 disciplinary record has become inactive, the department may  
9 clear the violation from the disciplinary record and the  
10 subject person or business may lawfully deny or fail to  
11 acknowledge such disciplinary actions. The department may  
12 adopt rules to implement this subsection.

13 (3) Notwithstanding s. 455.017, this section applies  
14 to the disciplinary records of all persons or businesses  
15 licensed by the department.

16  
17 (Redesignate subsequent sections.)

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20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 On page 3, line 10, after the semicolon

23

24 insert:

25 creating s. 455.2255, F.S.; providing  
26 legislative intent; providing for agencies to  
27 classify disciplinary actions according to  
28 severity; providing for the periodic clearing  
29 of certain violations from the disciplinary  
30 record; providing rulemaking authority;

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