

By Representative Tullis

1 A bill to be entitled
2 An act relating to release of employee
3 information by employers; providing duties of
4 current and former employers with respect to a
5 background investigation of an applicant for
6 employment or appointment as a full-time,
7 part-time, or auxiliary law enforcement
8 officer, correctional officer, or correctional
9 probation officer; requiring submission of an
10 authorization to release information form and
11 providing requirements with respect thereto;
12 providing a penalty for noncompliance;
13 providing an effective date.

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

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17 Section 1. (1) When a law enforcement, correctional,
18 or correctional probation officer is conducting a background
19 investigation of an applicant for temporary or permanent
20 employment or appointment as a full-time, part-time, or
21 auxiliary law enforcement, correctional, or correctional
22 probation officer with an employing agency as defined in s.
23 943.10(4), Florida Statutes, the applicant's current or former
24 employer, or the employer's agent, shall provide to the
25 officer conducting the background investigation the complete
26 employment record of the applicant and, to the extent known,
27 any other verifiable information which would lead one to
28 believe that the applicant fails to meet the minimum
29 qualifications as set forth in s. 943.13, Florida Statutes.
30 The investigating officer must present to the current or
31 former employer credentials demonstrating employment with the

1 employing agency. Upon the presentation of an authorization
2 for release of information form that must be designed and
3 approved by the Criminal Justice Standards and Training
4 Commission, the employer shall provide to the investigating
5 officer the requested information, which may include a copy of
6 the complete employment record or portion thereof. The form
7 must:

8 (a) Be either the original authorization or a copy or
9 facsimile of the original authorization.

10 (b) Have been executed by the applicant no more than 1
11 year prior to the request.

12 (c) Contain a statement that the authorization has
13 been specifically furnished to the presenting law enforcement
14 agency.

15 (d) Bear the notarized signature of the applicant.

16 (2) Whoever fails to comply with the provisions of
17 this section commits a noncriminal violation, punishable by a
18 fine of up to \$500.

19 Section 2. This act shall take effect upon becoming a
20 law.

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23 HOUSE SUMMARY

24 Provides duties of current and former employers with
25 respect to provision of information in connection with a
26 background investigation of an applicant for employment
27 or appointment as a full-time, part-time, or auxiliary
28 law enforcement officer, correctional officer, or
29 correctional probation officer. Requires submission of an
30 authorization to release information form and provides
31 requirements with respect thereto. Provides a penalty for
noncompliance.