

By the Committee on Child & Family Security and  
Representatives Lynn, Rich and Bucher

1                                   A bill to be entitled  
2           An act relating to child care facilities;  
3           amending s. 402.3055, F.S.; requiring  
4           validation of information provided by an  
5           applicant for a child care facility license;  
6           creating s. 402.3105, F.S.; requiring the  
7           Department of Children and Family Services to  
8           establish a database of information relating to  
9           violations, citations, and penalties imposed  
10          against child care facilities regulated by the  
11          state; specifying database capabilities and  
12          uses of information contained therein;  
13          requiring the department to establish and  
14          impose uniform penalties; providing an  
15          effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19           Section 1. Paragraph (a) of subsection (1) of section  
20 402.3055, Florida Statutes, is amended to read:

21           402.3055 Child care personnel requirements.--

22           (1) REQUIREMENTS FOR CHILD CARE PERSONNEL.--

23           (a) The department or local licensing agency shall  
24 require that the application for a child care license contain  
25 a question that specifically asks the applicant, owner, or  
26 operator if he or she has ever had a license denied, revoked,  
27 or suspended in any state or jurisdiction or has been the  
28 subject of a disciplinary action or been fined while employed  
29 in a child care facility. The applicant, owner, or operator  
30 shall sign an affidavit attesting ~~attest~~ to the accuracy of  
31 the information requested under penalty of perjury.

1           1. If the applicant, owner, or operator admits that he  
2 or she has been a party in such action, the department or  
3 local licensing agency shall review the nature of the  
4 suspension, revocation, disciplinary action, or fine before  
5 granting the applicant a license to operate a child care  
6 facility.

7           2. If the applicant, owner, or operator denies that he  
8 or she has been a party in such action in Florida, the  
9 department or local licensing agency shall validate the  
10 information provided by reviewing statewide child care  
11 licensing records to determine if the applicant has had a  
12 license denied, revoked, or suspended or has been the subject  
13 of a disciplinary action or been fined while employed in a  
14 child care facility prior to issuing a license.

15           3. If the department or local licensing agency  
16 determines as the result of such review that it is not in the  
17 best interest of the state or local jurisdiction for the  
18 applicant to be licensed, a license shall not be granted.

19           Section 2. Section 402.3105, Florida Statutes, is  
20 created to read:

21           402.3105 Central database on violations, citations,  
22 and penalties imposed against child care facilities.--The  
23 Department of Children and Family Services shall establish and  
24 maintain a central database to record and compile all district  
25 information relating to violations, citations, and penalties  
26 imposed against child care facilities regulated by the  
27 department. The database shall be operated in a manner that  
28 enables the department to identify and locate such information  
29 for purposes of monitoring and evaluating the uniformity and  
30 effectiveness of district investigations and enforcement, in  
31 order to ensure compliance of child care facilities with state

1 regulatory requirements. The database shall further maintain  
2 and produce aggregate statistical reports monitoring patterns  
3 of violations, citations, and penalties, including the classes  
4 and types of violations, and any actions taken to suspend or  
5 revoke the license of a child care facility. The information  
6 in the database shall serve as a resource for the evaluation  
7 of child care facilities for license renewal but may not be  
8 used for employment screening. The information in the database  
9 shall be made available to the public upon request.

10           Section 3. The Department of Children and Family  
11 Services shall establish and impose uniform penalties for  
12 violations of ss. 402.301-402.319, Florida Statutes, or rules  
13 adopted thereunder.

14           Section 4. This act shall take effect upon becoming a  
15 law.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31