Bill No. <u>CS for CS for SB 2446</u>

Amendment No. ___   Barcode 155188

CHAMBER ACTION

	<u>Senate</u>		<u>House</u>
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	04/29/2003 03:15 PM	.	
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11 Senator Lynn moved the following amendment:

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

14   On page 8, line 31,

15

16 insert:

17   Section 5. Paragraph (a) of subsection (1) of section

18 402.3055, Florida Statutes, is amended to read:

19   402.3055 Child care personnel requirements.--

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

21   (a) The department or local licensing agency shall

22 require that the application for a child care license contain

23 a question that specifically asks the applicant, owner, or

24 operator if he or she has ever had a license denied, revoked,

25 or suspended in any state or jurisdiction or has been the

26 subject of a disciplinary action or been fined while employed

27 in a child care facility. The applicant, owner, or operator

28 shall <u>sign an affidavit attesting</u> ~~attest~~ to the accuracy of

29 the information requested under penalty of perjury.

30   <u>1.</u> If the applicant, owner, or operator admits that he

31 or she has been a party in such action, the department or

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1 local licensing agency shall review the nature of the

2 suspension, revocation, disciplinary action, or fine before

3 granting the applicant a license to operate a child care

4 facility.

5   <u>2.</u> If the department or local licensing agency

6 determines as the result of such review that it is not in the

7 best interest of the state or local jurisdiction for the

8 applicant to be licensed, a license shall not be granted.

9   Section 6. Paragraph (c) is added to subsection (1) of

10 section 402.310, Florida Statutes, to read:

11   402.310 Disciplinary actions; hearings upon denial,

12 suspension, or revocation of license; administrative fines.--

13   (1)

14   <u>(c) The department shall establish and impose uniform</u>

15 <u>penalties for violations of ss. 402.301-402.319 and the rules</u>

16 <u>adopted thereunder. The department shall implement this</u>

17 <u>paragraph beginning on the effective date of this act, and</u>

18 <u>such implementation shall not be contingent upon a specific</u>

19 <u>appropriation therefor.</u>

20   Section 7. Section 402.3105, Florida Statutes, is

21 created to read:

22   <u>402.3105 Central database on violations, citations,</u>

23 <u>and penalties imposed against child care facilities.--</u>

24   <u>(1) The Department of Children and Family Services</u>

25 <u>shall establish and maintain a central database to record and</u>

26 <u>compile all district information relating to violations,</u>

27 <u>citations, and penalties imposed against child care facilities</u>

28 <u>regulated by the department.</u>

29   <u>(2) The database shall be operated in a manner that</u>

30 <u>enables the department to identify and locate such information</u>

31 <u>for purposes of monitoring and evaluating the uniformity and</u>

1 <u>effectiveness of district investigations and enforcement, in</u>

2 <u>order to ensure compliance of child care facilities with state</u>

3 <u>regulatory requirements. The database shall further maintain</u>

4 <u>and produce aggregate statistical reports monitoring patterns</u>

5 <u>of violations, citations, and penalties, including the classes</u>

6 <u>and types of violations and any actions taken to suspend or</u>

7 <u>revoke the license of a child care facility.</u>

8   <u>(3) The information in the database shall serve as a</u>

9 <u>resource for the evaluation of child care facilities for</u>

10 <u>license renewal but may not be used for employment screening.</u>

11 <u>The information in the database shall be made available to the</u>

12 <u>public upon request pursuant to chapter 119, relating to</u>

13 <u>public records.</u>

14   <u>(4) In consultation with the State Technology Office,</u>

15 <u>the Department of Children and Family Services shall establish</u>

16 <u>and maintain a central database to record and compile all</u>

17 <u>district information relating to violations, citations, and</u>

18 <u>penalties imposed against child care facilities regulated by</u>

19 <u>the department. This system shall be developed pursuant to</u>

20 <u>chapter 282, and the department shall implement, operate, and</u>

21 <u>maintain the system in accordance with the policies and</u>

22 <u>procedures established by the State Technology Office.</u>

23   <u>(5) The Department of Children and Family Services</u>

24 <u>shall implement this section beginning on the effective date</u>

25 <u>of this act, and such implementation shall not be contingent</u>

26 <u>upon a specific appropriation therefor.</u>

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28 (Redesignate subsequent sections.)

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 1  =============== T I T L E   A M E N D M E N T ===============
 2  And the title is amended as follows:
 3        On page 1, line 19, after the semicolon,
 4
 5  insert:
 6        amending s. 402.3055, F.S.; requiring a signed
 7        affidavit attesting to the accuracy of certain
 8        information provided by an applicant for a
 9        child care facility license; amending s.
10        402.310, F.S.; requiring the Department of
11        Children and Family Services to establish and
12        impose uniform penalties relating to child care
13        facility violations; requiring implementation
14        not contingent upon an appropriation; creating
15        s. 402.3105, F.S.; requiring the department to
16        establish a database of information relating to
17        violations, citations, and penalties imposed
18        against child care facilities regulated by the
19        state; requiring the Department of Children and
20        Family Services to consult and meet the
21        requirements of the State Technology Office;
22        specifying database capabilities and uses of
23        information contained therein; requiring
24        implementation not contingent upon an
25        appropriation;
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