

Bill No. CS for SB 2568

Amendment No. ____ Barcode 760108

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Lynn moved the following amendment:

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

14 On page 26, between lines 7 and 8,

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16 insert:

17 Section 12. 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 sign an affidavit attesting ~~attest~~ to the accuracy of
29 the information requested under penalty of perjury.

30 1. 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 2. 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 13. Paragraph (c) is added to subsection (1)
10 of 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 (c) The department shall establish and impose uniform
15 penalties for violations of ss. 402.301-402.319 and the rules
16 adopted thereunder. The department shall implement this
17 paragraph beginning on the effective date of this act, and
18 such implementation shall not be contingent upon a specific
19 appropriation therefor.

20 Section 14. Section 402.3105, Florida Statutes, is
21 created to read:

22 402.3105 Central database on violations, citations,
23 and penalties imposed against child care facilities.--

24 (1) The Department of Children and Family Services
25 shall establish and maintain a central database to record and
26 compile all district information relating to violations,
27 citations, and penalties imposed against child care facilities
28 regulated by the department.

29 (2) The database shall be operated in a manner that
30 enables the department to identify and locate such information
31 for purposes of monitoring and evaluating the uniformity and

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1 effectiveness of district investigations and enforcement, in
2 order to ensure compliance of child care facilities with state
3 regulatory requirements. The database shall further maintain
4 and produce aggregate statistical reports monitoring patterns
5 of violations, citations, and penalties, including the classes
6 and types of violations and any actions taken to suspend or
7 revoke the license of a child care facility.

8 (3) The information in the database shall serve as a
9 resource for the evaluation of child care facilities for
10 license renewal but may not be used for employment screening.
11 The information in the database shall be made available to the
12 public upon request pursuant to chapter 119, relating to
13 public records.

14 (4) In consultation with the State Technology Office,
15 the Department of Children and Family Services shall establish
16 and maintain a central database to record and compile all
17 district information relating to violations, citations, and
18 penalties imposed against child care facilities regulated by
19 the department. This system shall be developed pursuant to
20 chapter 282, and the department shall implement, operate, and
21 maintain the system in accordance with the policies and
22 procedures established by the State Technology Office.

23 (5) The Department of Children and Family Services
24 shall implement this section beginning on the effective date
25 of this act, and such implementation shall not be contingent
26 upon a specific appropriation therefor.

27 Section 15. The Department of Children and Family
28 Services shall establish by rule a definition for child care
29 which distinguishes between child care programs that require
30 child care licensure and after-school programs that do not
31 require licensure.

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(Redesignate subsequent sections.)

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

And the title is amended as follows:

On page 4, line 8, after the semicolon,

insert:

amending s. 402.3055, F.S.; requiring a signed affidavit attesting to the accuracy of certain information provided by an applicant for a child care facility license; amending s. 402.310, F.S.; requiring the Department of Children and Family Services to establish and impose uniform penalties relating to child care facility violations; requiring implementation not contingent upon an appropriation; creating s. 402.3105, F.S.; requiring the department to establish a database of information relating to violations, citations, and penalties imposed against child care facilities regulated by the state; requiring the Department of Children and Family Services to consult and meet the requirements of the State Technology Office; specifying database capabilities and uses of information contained therein; requiring implementation not contingent upon an appropriation; directing the Department of Children and Family Services to adopt a rule defining child care;