

Bill No. SB 1914

Barcode 624960

CHAMBER ACTION

Senate

House

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The Committee on Criminal Justice (King) recommended the following amendment:

Senate Amendment

On page 1, line 16, through
page 2, line 21, delete those lines

and insert:

(4)(a) For any person employed by the department, or by a provider under contract with the department, in delinquency facilities, services, and programs, the department shall require:

1. A level 2 employment screening pursuant to chapter 435 prior to employment; and, using the level 1 standards for screening set forth in that chapter, for personnel in delinquency facilities, services, and programs.

2. A federal criminal records check by the Federal Bureau of Investigation every 5 years following the date of the person's employment.

(b) Except for law enforcement, correctional, and correctional probation officers, to whom s. 943.13(5) applies,

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1 the department shall electronically submit to the Department
2 of Law Enforcement:

3 1. Fingerprint information obtained during the
4 employment screening required by subparagraph (a)1.; and

5 2. No later than December 15, 2005, fingerprint
6 information for all person employed by the department, or by a
7 provider under contract with the department, in delinquency
8 facilities, services, and programs if such fingerprint
9 information has not previously been electronically submitted
10 to the Department of Law Enforcement under this paragraph.

11 (c) All fingerprint information electronically
12 submitted to the Department of Law Enforcement under paragraph
13 (b) shall be retained by the Department of Law Enforcement and
14 entered into the statewide automated fingerprint
15 identification system authorized by s. 943.05(2)(b) and shall
16 thereafter be available for all purposes and uses authorized
17 for arrest fingerprint information entered into the statewide
18 automated fingerprint identification system pursuant to s.
19 943.051 until the fingerprint information is removed pursuant
20 to paragraph (e). The Department of Law Enforcement shall
21 search all arrest fingerprint information received pursuant to
22 s. 943.051 against the fingerprint information entered into
23 the statewide automated fingerprint system pursuant to this
24 subsection. Any arrest records identified as a result of the
25 search shall be reported to the department in the manner and
26 timeframe established by rule of the Department of Law
27 Enforcement.

28 (d) The department shall pay an annual fee to the
29 Department of Law Enforcement for its costs resulting from the
30 fingerprint information retention services required by this
31 subsection. The amount of the annual fee and procedures for

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1 the submission and retention of fingerprint information and
2 for the dissemination of search results shall be established
3 by rule of the Department of Law Enforcement which is
4 applicable to the department individually pursuant to this
5 subsection or is applicable to the department and other
6 employing agencies pursuant to rulemaking authority otherwise
7 provided by law.

8 (e) The department shall notify the Department of Law
9 Enforcement when a person whose fingerprint information is
10 retained by the Department of Law Enforcement under this
11 subsection is no longer employed by the department, or by a
12 provider under contract with the department, in a delinquency
13 facility, service, and program. This notice shall be provided
14 by the department to the Department of Law Enforcement no
15 later than 6 months after the date of the change in the
16 person's employment status. Fingerprint information for
17 persons identified by the department in the notice shall be
18 removed from the statewide automated fingerprint system.

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