

Bill No. CS for CS for SB 1978

Barcode 432138

CHAMBER ACTION

Senate

House

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Senator Crist moved the following amendment:

Senate Amendment (with title amendment)

On page 33, between lines 27 and 28,

insert:

Section 7. Subsection (4) of section 985.407, Florida Statutes, is amended to read:

985.407 Departmental contracting powers; personnel standards and screening.--

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

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

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1 (b) Except for law enforcement, correctional, and
2 correctional probation officers, to whom s. 943.13(5) applies,
3 the department shall electronically submit to the Department
4 of Law Enforcement:

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

7 2. Beginning December 15, 2005, fingerprint
8 information for all persons employed by the department, or by
9 a provider under contract with the department, in delinquency
10 facilities, services, or programs if such fingerprint
11 information has not previously been electronically submitted
12 to the Department of Law Enforcement under this paragraph.

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

30 (d) The department shall pay an annual fee to the
31 Department of Law Enforcement for its costs resulting from the

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

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

21 Section 8. The sums of \$36,834 in recurring funds and
 22 \$86,407 in nonrecurring funds are appropriated from the
 23 General Revenue Fund to the Department of Juvenile Justice for
 24 expenses for the 2005-2006 fiscal year. The sum of \$133,335 in
 25 recurring funds is appropriated from the Administrative Trust
 26 Fund to the Department of Juvenile Justice for expenses for
 27 the 2005-2006 fiscal year.

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 29 (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 28, after the semicolon,

4

5 insert:

6 amending s. 985.407, F.S.; revising
7 employee-screening procedures of the Department
8 of Juvenile Justice; requiring the department
9 to provide fingerprint information to the
10 Department of Law Enforcement and pay an annual
11 fee; providing appropriations;

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