

1 A bill to be entitled
2 An act relating to background screening for
3 noninstructional school district employees and
4 contractors; providing that individuals required to
5 undergo background screening pursuant to the amendments to
6 s. 1012.465, F.S., relating to background screening
7 requirements for certain noninstructional school district
8 employees and contractors, made by s. 21, ch. 2005-28,
9 Laws of Florida, are required to meet the required
10 screening requirements as soon as reasonably possible and
11 shall be and remain in full and continuing compliance no
12 later than a specified date; prohibiting contractual
13 personnel who have not completed specified screening
14 requirements from access to school grounds; prohibiting
15 specified individuals from access to school grounds;
16 providing an expiration date; providing an effective date.

17
18 WHEREAS, the 2005 Legislature enacted chapter 2005-28, Laws
19 of Florida, known as the "Jessica Lunsford Act," in response to
20 the horrific murder of a child by a convicted sex offender who
21 lived in her neighborhood and worked as a subcontractor at her
22 school, and

23 WHEREAS, despite some unintended consequences that have
24 resulted in implementation difficulties for school districts,
25 the business community, and law enforcement, the new law has
26 been applauded by families and communities across the state, and

HB 39B

2005

27 WHEREAS, it is the intent of the Legislature to address the
28 law's unintended consequences through the full and deliberative
29 committee process afforded by the 2006 Regular Session, and

30 WHEREAS, until that time, it is the intent of the
31 Legislature that all persons and entities affected by the new
32 law continue to aggressively and relentlessly proceed with its
33 implementation, NOW, THEREFORE,

34
35 Be It Enacted by the Legislature of the State of Florida:

36
37 Section 1. (1) The amendments to s. 1012.465, Florida
38 Statutes, in s. 21 of chapter 2005-28, Laws of Florida, are
39 effective commencing September 1, 2005, and all contractual
40 personnel who were not otherwise subject to s. 1012.465, Florida
41 Statutes, prior to that date shall meet the required level 2
42 screening requirements as soon as reasonably possible and shall
43 be and remain in full and continuing compliance no later than
44 July 1, 2006.

45 (2) All contractual personnel who have not completed the
46 screening requirements pursuant to subsection (1) shall be
47 denied access to school grounds when students are present until
48 the employer has conducted a search of their names or other
49 identifying information against the registration information
50 regarding sexual predators and sexual offenders maintained by
51 the Department of Law Enforcement under s. 943.043, Florida
52 Statutes, and the national sex offender public registry
53 maintained by the United States Department of Justice.

HB 39B

2005

54 (3) Any contractual personnel identified as a sexual
55 predator or sexual offender in the registry search required in
56 subsection (2) shall not be permitted on school grounds when
57 students are present.

58 (4) This section shall expire July 1, 2006.

59 Section 2. This act shall take effect upon becoming a law.