

Bill No. SB 106

Barcode 425372

CHAMBER ACTION

Senate

House

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The Committee on Children, Families, and Elder Affairs (Hill)
recommended the following amendment:

Senate Amendment (with title amendment)

On page 1, lines 23-28, delete those lines

and insert:

1. Beginning July 1, 2008, all fingerprints submitted to the Department of Law Enforcement as required by this subsection shall be submitted electronically and shall be retained by the Department of Law Enforcement in a manner provided by rule and entered in the statewide automated fingerprint identification system authorized by s. 943.05(2)(b). Such fingerprints shall thereafter be available for all purposes and uses authorized for arrest fingerprint cards entered in the statewide automated fingerprint identification system pursuant to s. 943.051.

2. Beginning July 1, 2008, the Department of Law Enforcement shall search all arrest fingerprint cards received under s. 943.051 against the fingerprints retained in the statewide automated fingerprint identification system under

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1 subparagraph 1. Any arrest record that is identified with the
2 retained fingerprints of a person subject to the background
3 screening under this section shall be reported to the
4 department. The department is required to participate in this
5 search process by payment of an annual fee to the Department
6 of Law Enforcement and by informing the Department of Law
7 Enforcement of any personnel whose fingerprints are retained
8 under subparagraph 1. who are no longer employed by a facility
9 regulated by the department. The Department of Law Enforcement
10 shall adopt a rule setting the amount of the annual fee to be
11 imposed upon the department for performing these searches and
12 establishing the procedures for the retention of fingerprints
13 and the dissemination of search results. The fee may be borne
14 by the department, the provider, or the person fingerprinted.

15 3. Beginning July 1, 2008, personnel whose fingerprints
16 are not retained by the Department of Law Enforcement under
17 subparagraphs 1. and 2. are required to be refingerprinted and
18 must meet level 2 screening requirements as described in this
19 section upon reemployment or reengagement to provide services
20 in order to comply with the requirements of this subsection.

21 4. No later than December 1, 2009, any personnel whose
22 fingerprints are not retained by the Department of Law
23 Enforcement under subparagraphs 1. and 2. are required to be
24 refingerprinted and must meet level 2 screening requirements
25 as described in this section.

26 5. Every 5 years each person who is employed in a child
27 care facility must meet level 2 screening requirements as
28 described in s. 435.04. The department shall request the
29 Department of Law Enforcement to forward the fingerprints to
30 the Federal Bureau of Investigation for the level 2 screening.
31 The cost of the state and federal criminal history check

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1 required by level 2 screening may be borne by the department,
2 the facility, or the person fingerprinted.

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

6 And the title is amended as follows:

7 On page 1, lines 3-10, delete those lines

8

9 and insert:

10 amending s. 402.305, F.S., requiring electronic
11 submission of child care personnel fingerprints
12 and retention of fingerprints by the Department
13 of Law Enforcement; requiring that fingerprints
14 retained be searched against arrest records;
15 requiring that records identified with the
16 retained fingerprints be reported to the
17 department; providing for fees; providing
18 rulemaking authority; requiring certain persons
19 to be refingerprinted; requiring level 2
20 screening of each person who is employed in a
21 child care facility every 5 years; providing

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