

By Senator Ring

32-00223-08

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1 A bill to be entitled
2 An act relating to criminal history record checks;
3 defining the terms "sports coach" and "independent youth
4 athletic team"; requiring any person who is a sports coach
5 of an independent youth athletic team to meet level 2
6 screening requirements as described in ch. 435, F.S.;
7 providing testing procedures; requiring each sanctioning
8 authority to sign an affidavit annually, under penalty of
9 perjury, stating that all sports coaches under its
10 jurisdiction have been screened or are newly hired and
11 awaiting the results of the required screening; requiring
12 each sports coach to pay the costs of his or her
13 screening; providing that a sports coach who willfully,
14 knowingly, or intentionally violates the act commits a
15 misdemeanor of the first degree; providing criminal
16 penalties; providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Criminal history record checks for sports
21 coaches.--

22 (1) As used in this section, the term:

23 (a) "Independent youth athletic team" or "team" means an
24 athletic team that:

25 1. Includes a minor as a team member;

26 2. Is sanctioned by an independent organization; and

27 3. Is not sanctioned by or affiliated with a public or
28 private school.

29 (b) "Minor" has the same meaning as in s. 1.01, Florida

32-00223-08

2008344__

30 Statutes.

31 (c) "Sports coach" means a person who is authorized by a
32 sanctioning authority to be responsible for leading an
33 independent youth athletic team and any person assisting the
34 sports coach. A sports coach is an individual who:

35 1. Works or is to work for the independent youth athletic
36 team 20 or more hours within a calendar year;

37 2. Has or is to have unsupervised contact with minors; and

38 3. Serves or is to serve as a chaperone for minors on any
39 overnight activity related to the independent youth athletic
40 team.

41 (2) Any person in this state who acts as a sports coach to
42 an independent youth athletic team must meet level 2 screening
43 requirements as described in chapter 435, Florida Statutes.

44 (3) Except as otherwise provided by law, the following
45 requirements apply:

46 (a) Each sports coach who coaches an independent youth
47 athletic team must, within 5 working days after being designated
48 as a sports coach, submit to the appropriate sanctioning
49 authority a complete set of fingerprints and other information
50 necessary to conduct a screening under chapter 435, Florida
51 Statutes.

52 (b) The sanctioning authority must submit the information
53 necessary for screening to the Department of Law Enforcement
54 within 5 working days after receiving it. The Department of Law
55 Enforcement shall conduct a search of its criminal and juvenile
56 records and request that the Federal Bureau of Investigation
57 conduct a search of its records for each sports coach for whom
58 the request is made. The Department of Law Enforcement shall

32-00223-08

2008344__

59 respond to the sanctioning authority and the sanctioning
60 authority shall inform the sports coach whether screening has
61 revealed disqualifying information.

62 (c) A sports coach whose background is being checked must
63 supply any missing criminal information or other necessary
64 information to the sanctioning authority within 30 days after the
65 sanctioning authority makes a request for the information or be
66 subject to automatic disqualification from acting as a sports
67 coach.

68 (4) Unless otherwise prohibited by state or federal law, a
69 sports coach may be placed on probationary status pending a
70 determination of compliance with minimum standards set forth in
71 this section.

72 (5) Each sanctioning authority that is required to conduct
73 level 2 background screening must sign an affidavit annually,
74 under penalty of perjury, stating that all sports coaches under
75 its jurisdiction have been screened or are newly hired and
76 awaiting the results of the required screening.

77 (6) A sports coach shall pay the costs of his or her own
78 screening. Payment shall be submitted to the Department of Law
79 Enforcement along with the request for screening.

80 (7) A sports coach who willfully, knowingly, or
81 intentionally violates this section commits a misdemeanor of the
82 first degree, punishable as provided in s. 775.082 or s. 775.083,
83 Florida Statutes.

84 Section 2. This act shall take effect July 1, 2008.