

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Holder offered the following:

4
5 **Amendment (with title amendment)**

6 Remove lines 440-490 and insert:

7 Section 9. Paragraph (i) of subsection (4) of section
8 409.221, Florida Statutes, is amended to read:

9 409.221 Consumer-directed care program.—

10 (4) CONSUMER-DIRECTED CARE.—

11 (i) Background screening requirements.—All persons who
12 render care under this section must undergo level 2 background
13 screening pursuant to chapter 435 and s. 408.809. The agency
14 shall, as allowable, reimburse consumer-employed caregivers for
15 the cost of conducting background screening as required by this
16 section. For purposes of this section, a person who has
17 undergone screening, who is qualified for employment under this
18 section and applicable rule, and who has not been unemployed for
19 more than 90 days following such screening is not required to be

Amendment No. 1

20 rescreened. Such person must attest under penalty of perjury to
21 not having been convicted of a disqualifying offense since
22 completing such screening.

23 Section 10. Section 435.02, Florida Statutes, is amended
24 to read:

25 435.02 Definitions.—For the purposes of this chapter, the
26 term:

27 (1) "Agency" means any state, county, or municipal agency
28 that grants licenses or registration permitting the operation of
29 an employer or is itself an employer or that otherwise
30 facilitates the screening of employees pursuant to this chapter.
31 If there is no state agency or the municipal or county agency
32 chooses not to conduct employment screening, "agency" means the
33 Department of Children and Family Services.

34 (2) "Employee" means any person required by law to be
35 screened pursuant to this chapter, including, but not limited
36 to, persons who are contractors, licensees, or volunteers.

37 (3) "Employer" means any person or entity required by law
38 to conduct screening of employees pursuant to this chapter.

39 (4) "Employment" means any activity or service sought to
40 be performed by an employee which requires the employee to be
41 screened pursuant to this chapter.

42 (5) "Specified agency" means the Department of Health, the
43 Department of Children and Families, the Agency for Health Care
44 Administration, the Department of Elder Affairs, the Department
45 of Juvenile Justice, and the Agency for Persons with
46 Disabilities, when these agencies are conducting state and

Amendment No. 1

47 national criminal history background screening on persons who
48 work with children, elderly or disabled persons.

49 (6) "Vulnerable person" means a minor as defined in s.
50 1.01 or a vulnerable adult as defined in s. 415.102.

51 Section 11. Section 435.12, Florida Statutes, is created
52 to read:

53 435.12 Care Provider Background Screening Clearinghouse.--

54 (1) The Agency for Health Care Administration in
55 consultation with the Department of Law Enforcement shall create
56 a secure internet web-based system, which shall be known as the
57 "Clearinghouse," and shall be implemented to the full extent
58 practicable no later than September 30, 2013, subject to the
59 specified agencies being funded and equipped to participate in
60 such program. The Clearinghouse will allow for the results of
61 criminal history checks provided to the specified agencies for
62 screening of persons qualified as care providers under
63 s.943.0542 to be shared among the specified agencies when a
64 person has applied for employment, volunteering, licensing or
65 contracting that requires a state and national fingerprint-based
66 criminal history check. The Agency for Health Care
67 Administration and the Department of Law Enforcement may adopt
68 rules under ss. 120.536(1) and 120.54 to implement any forms or
69 procedures needed to carry out this section.

70 (2) (a) To ensure currency of information in the
71 Clearinghouse, fingerprints of employees required to be screened
72 by a specified agency and included in the Clearinghouse must be:

73 1. Retained by the Department of Law Enforcement pursuant
74 to s. 943.05(2)(g) and (h), and subsection (3), and the

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

Amendment No. 1

75 Department of Law Enforcement must report the results of
76 searching those fingerprints against incoming Florida arrests to
77 the Agency for Health Care Administration for inclusion in the
78 Clearinghouse.

79 2. Resubmitted for a Federal Bureau of Investigation (FBI)
80 national criminal history check every five years until such time
81 as the fingerprints are retained at the FBI.

82 3. Subject to retention on a five year renewal basis with
83 fees collected at the time of initial or resubmission of
84 fingerprints.

85 (b) Until such time as the fingerprints are retained at
86 the FBI, employees with a break in service for more than 90 days
87 from a position that requires screening by a specified agency
88 must submit to a national screening if returning to such a
89 position.

90 (c) Employers of persons subject to screening by a
91 specified agency must register with the Clearinghouse and
92 maintain employment status of all employees within the
93 Clearinghouse. Initial employment status and any changes in
94 status must be reported within 10 business days.

95 (3) Employees who have undergone fingerprint-based
96 criminal history checks by a specified agency prior to the
97 Clearinghouse becoming operational are not required to be
98 checked again solely for the purpose of entry in the
99 Clearinghouse. All employees who are or will become subject to
100 fingerprint-based criminal history checks to be licensed, or
101 have their license renewed, or to meet screening or rescreening
102 requirements, by a specified agency once the specified agency

Amendment No. 1

103 participates in the Clearinghouse shall be subject to the
104 requirements of this section with respect to entry of records in
105 the Clearinghouse and retention of fingerprints for reporting
106 the results of searching against incoming Florida arrests.

107 Section 12. Section 456.0135, Florida Statutes, is created
108 to read:

109 456.0135 General Background Screening Provisions.--

110 (1) An application for initial licensure or renewal
111 received on or after January 1, 2013, under chapters 458, 459,
112 460, 461, 464, or s. 465.022, must include fingerprints under
113 procedures specified by the department through a vendor approved
114 by the Department of Law Enforcement, and fees for initial
115 screening and retention of fingerprints. Fingerprints must be
116 submitted electronically to the Department of Law Enforcement
117 for state processing, and the Department of Law Enforcement must
118 forward the fingerprints to the Federal Bureau of Investigation
119 for national processing. Each board, or the department if there
120 is no board, shall screen the results to determine if an
121 applicant meets licensure requirements. For any subsequent
122 renewal of the applicant's license, the department shall request
123 the Department of Law Enforcement to forward the retained
124 fingerprints of the applicant to the Federal Bureau of
125 Investigation for a national criminal history check.

126 (2) All fingerprints submitted to the Department of Law
127 Enforcement as required by subsection (1), shall be retained by
128 the Department of Law Enforcement as provided at s.
129 943.051(2)(g) and (h), and (3). The department shall notify the

Amendment No. 1

130 Department of Law Enforcement of any person whose fingerprints
131 have been retained that no longer is licensed.

132 (3) The costs of fingerprint processing, including the cost
133 for retaining fingerprints, shall be borne by the applicant
134 subject to the background screening.

135 Section 13. Paragraph (h) of subsection (2) of section
136 943.05, Florida Statutes, is amended to read:

137 943.05 Criminal Justice Information Program; duties; crime
138 reports.-

139 (2) The program shall:

140 (h) For each agency or qualified entity that officially
141 requests retention of fingerprints or for which retention is
142 otherwise required by law, search all arrest fingerprint
143 submissions received under s. 943.051 against the fingerprints
144 retained in the statewide automated fingerprint identification
145 system under paragraph (g).

146 1. Any arrest record that is identified with the retained
147 fingerprints of a person subject to background screening as
148 provided in paragraph (g) shall be reported to the appropriate
149 agency or qualified entity.

150 2. To participate in this search process, agencies or
151 qualified entities must notify each person fingerprinted that
152 his or her fingerprints will be retained, pay an annual fee to
153 the department, and inform the department of any change in the
154 affiliation, employment, or contractual status of each person
155 whose fingerprints are retained under paragraph (g) if such
156 change removes or eliminates the agency or qualified entity's
157 basis or need for receiving reports of any arrest of that

Amendment No. 1

158 person, so that the agency or qualified entity is not obligated
159 to pay the upcoming annual fee for the retention and searching
160 of that person's fingerprints to the department. The department
161 shall adopt a rule setting the amount of the annual fee to be
162 imposed upon each participating agency or qualified entity for
163 performing these searches and establishing the procedures for
164 the retention of fingerprints and the dissemination of search
165 results. The fee may be borne by the agency, qualified entity,
166 or person subject to fingerprint retention or as otherwise
167 provided by law. Consistent with the recognition of criminal
168 justice agencies expressed in s. 943.053(3), these services
169 shall be provided to criminal justice agencies for criminal
170 justice purposes free of charge. Qualified entities that elect
171 to participate in the fingerprint retention and search process
172 are required to timely remit the fee to the department by a
173 payment mechanism approved by the department. If requested by
174 the qualified entity, and with the approval of the department,
175 such fees may be timely remitted to the department by a
176 qualified entity upon receipt of an invoice for such fees from
177 the department. Failure of a qualified entity to pay the amount
178 due on a timely basis or as invoiced by the department, may
179 result in the refusal by the department to permit the qualified
180 entity to continue to participate in the fingerprint retention
181 and search process until all fees due and owing are paid.

182 3. Agencies that participate in the fingerprint retention
183 and search process may adopt rules pursuant to ss. 120.536(1)
184 and 120.54 to require employers to keep the agency informed of
185 any change in the affiliation, employment, or contractual status

Amendment No. 1

186 of each person whose fingerprints are retained under paragraph
187 (g) if such change removes or eliminates the agency's basis or
188 need for receiving reports of any arrest of that person, so that
189 the agency is not obligated to pay the upcoming annual fee for
190 the retention and searching of that person's fingerprints to the
191 department.

192 Section 14. Subsection (12) of section 943.053, Florida
193 Statutes, is amended, and subsection (13) is added to said
194 section, to read:

195 943.053 Dissemination of criminal justice information;
196 fees.—

197 (12) Notwithstanding any other provision of law, when a
198 criminal history check or a duty to disclose the absence of a
199 criminal history check is mandated by state law, or when a
200 privilege or benefit is conferred by state law in return for
201 exercising an option of conducting a criminal history check, the
202 referenced criminal history check, whether it is an initial or
203 renewal check, shall include a Florida criminal history provided
204 by the department as set forth in this section. Such Florida
205 criminal history information may be provided by a private vendor
206 only if that information is directly obtained from the
207 department for each request. When a national criminal history
208 check is required or authorized by state law, the national
209 criminal history check shall be submitted by and through the
210 department in the manner established by the department for such
211 checks, unless otherwise required by federal law. The fee for
212 criminal history information as established by state law or, in
213 the case of national checks, by the Federal Government, shall be

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

Amendment No. 1

214 borne by the person or entity submitting the request, or as
215 provided by law. Criminal history information provided by any
216 other governmental entity of this state or any private entity
217 shall not be substituted for criminal history information
218 provided by the department when the criminal history check or a
219 duty to disclose the absence of a criminal history check is
220 required by statute or is made a condition of a privilege or
221 benefit by law. Whenever fingerprints are required or permitted
222 to be used as a basis for identification in conducting such a
223 criminal history check, such fingerprints must be taken by a law
224 enforcement agency employee, a government agency employee, a
225 qualified electronic fingerprint service provider or a private
226 employer. Fingerprints taken by the subject of the criminal
227 history check may not be accepted or used for the purpose of
228 identification in conducting such a criminal history check.

229 (13) (a) For the department to accept an electronic
230 fingerprint submission from:

231 1. A private vendor engaged in the business of providing
232 electronic fingerprint submission; or

233 2. A private entity or public agency that submits the
234 fingerprints of its own employees, volunteers, contractors,
235 associates, or applicants for the purpose of conducting a
236 required or permitted criminal history background check,

237
238 the vendor, entity, or agency submitting the fingerprints must
239 enter into an agreement with the department that at a minimum
240 obligates the vendor, entity, or agency to comply with certain
241 specified standards to ensure that all persons having direct or

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

Amendment No. 1

242 indirect responsibility for taking, identifying, and
243 electronically submitting fingerprints are qualified to do so
244 and will ensure the integrity and security of all personal
245 information gathered from the persons whose fingerprints are
246 submitted.

247 (b) Such standards shall include, but need not be limited
248 to, requiring:

249 1. All persons responsible for taking fingerprints and
250 collecting personal identifying information from the persons
251 fingerprinted to meet current written state and federal
252 guidelines for identity verification and for recording legible
253 fingerprints;

254 2. The department and the Federal Bureau of
255 Investigation's technical standards for the electronic
256 submission of fingerprints are satisfied;

257 3. The fingerprint images electronically submitted satisfy
258 the department and the Federal Bureau of Investigation's quality
259 standards; and

260 4. That no person be allowed to take his or her own
261 fingerprints for submission to the department.

262 (c) The requirement for entering into an agreement with
263 the department for this purpose does not apply to criminal
264 justice agencies as defined at s. 943.045(10).

265 (d) The agreement with the department must require the
266 vendor, entity, or agency to collect from the person or entity
267 on whose behalf the fingerprints are submitted the fees
268 prescribed by state and federal law for processing the
269 fingerprints for a criminal history background check. The

Amendment No. 1

270 agreement must provide that such fees be timely remitted to the
271 department by a payment mechanism approved by the department.
272 If requested by the vendor, entity, or agency, and with the
273 approval of the department, such fees may be timely remitted to
274 the department by a vendor, entity, or agency upon receipt of an
275 invoice for such fees from the department. Failure of a vendor,
276 entity, or agency to pay the amount due on a timely basis or as
277 invoiced by the department may result in the refusal by the
278 department to accept future fingerprint submissions until all
279 fees due and owing are paid.

280 Section 15. Paragraph (a) of subsection (4) of section
281 943.0585, Florida Statutes, is amended to read:

282 943.0585 Court-ordered expunction of criminal history
283 records.—The courts of this state have jurisdiction over their
284 own procedures, including the maintenance, expunction, and
285 correction of judicial records containing criminal history
286 information to the extent such procedures are not inconsistent
287 with the conditions, responsibilities, and duties established by
288 this section. Any court of competent jurisdiction may order a
289 criminal justice agency to expunge the criminal history record
290 of a minor or an adult who complies with the requirements of
291 this section. The court shall not order a criminal justice
292 agency to expunge a criminal history record until the person
293 seeking to expunge a criminal history record has applied for and
294 received a certificate of eligibility for expunction pursuant to
295 subsection (2). A criminal history record that relates to a
296 violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794,
297 s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025, s.

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 943 (2012)

Amendment No. 1

298 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s.
299 893.135, s. 916.1075, a violation enumerated in s. 907.041, or
300 any violation specified as a predicate offense for registration
301 as a sexual predator pursuant to s. 775.21, without regard to
302 whether that offense alone is sufficient to require such
303 registration, or for registration as a sexual offender pursuant
304 to s. 943.0435, may not be expunged, without regard to whether
305 adjudication was withheld, if the defendant was found guilty of
306 or pled guilty or nolo contendere to the offense, or if the
307 defendant, as a minor, was found to have committed, or pled
308 guilty or nolo contendere to committing, the offense as a
309 delinquent act. The court may only order expunction of a
310 criminal history record pertaining to one arrest or one incident
311 of alleged criminal activity, except as provided in this
312 section. The court may, at its sole discretion, order the
313 expunction of a criminal history record pertaining to more than
314 one arrest if the additional arrests directly relate to the
315 original arrest. If the court intends to order the expunction of
316 records pertaining to such additional arrests, such intent must
317 be specified in the order. A criminal justice agency may not
318 expunge any record pertaining to such additional arrests if the
319 order to expunge does not articulate the intention of the court
320 to expunge a record pertaining to more than one arrest. This
321 section does not prevent the court from ordering the expunction
322 of only a portion of a criminal history record pertaining to one
323 arrest or one incident of alleged criminal activity.

324 Notwithstanding any law to the contrary, a criminal justice
325 agency may comply with laws, court orders, and official requests

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

Amendment No. 1

326 of other jurisdictions relating to expunction, correction, or
327 confidential handling of criminal history records or information
328 derived therefrom. This section does not confer any right to the
329 expunction of any criminal history record, and any request for
330 expunction of a criminal history record may be denied at the
331 sole discretion of the court.

332 (4) EFFECT OF CRIMINAL HISTORY RECORD EXPUNCTION.—Any
333 criminal history record of a minor or an adult which is ordered
334 expunged by a court of competent jurisdiction pursuant to this
335 section must be physically destroyed or obliterated by any
336 criminal justice agency having custody of such record; except
337 that any criminal history record in the custody of the
338 department must be retained in all cases. A criminal history
339 record ordered expunged that is retained by the department is
340 confidential and exempt from the provisions of s. 119.07(1) and
341 s. 24(a), Art. I of the State Constitution and not available to
342 any person or entity except upon order of a court of competent
343 jurisdiction. A criminal justice agency may retain a notation
344 indicating compliance with an order to expunge.

345 (a) The person who is the subject of a criminal history
346 record that is expunged under this section or under other
347 provisions of law, including former s. 893.14, former s. 901.33,
348 and former s. 943.058, may lawfully deny or fail to acknowledge
349 the arrests covered by the expunged record, except when the
350 subject of the record:

351 1. Is a candidate for employment with a criminal justice
352 agency;

353 2. Is a defendant in a criminal prosecution;

Amendment No. 1

354 3. Concurrently or subsequently petitions for relief under
355 this section or s. 943.059;

356 4. Is a candidate for admission to The Florida Bar;

357 5. Is seeking to be employed or licensed by or to contract
358 with the Department of Children and Family Services, the Agency
359 for Health Care Administration, the Agency for Persons with
360 Disabilities, the Department of Health, the Department of
361 Elderly Affairs, or the Department of Juvenile Justice or to be
362 employed or used by such contractor or licensee in a sensitive
363 position having direct contact with children, the
364 developmentally disabled, ~~the aged,~~ or the elderly ~~as provided~~
365 ~~in s. 110.1127(3), s. 393.063, s. 394.4572(1), s. 397.451, s.~~
366 ~~402.302(3), s. 402.313(3), s. 409.175(2)(i), s. 415.102(5),~~
367 ~~chapter 916, s. 985.644, chapter 400, or chapter 429;~~

368 6. Is seeking to be employed or licensed by the Department
369 of Education, any district school board, any university
370 laboratory school, any charter school, any private or parochial
371 school, or any local governmental entity that licenses child
372 care facilities; or

373 7. Is seeking authorization from a seaport listed in s.
374 311.09 for employment within or access to one or more of such
375 seaports pursuant to s. 311.12.

376 Section 16. Paragraph (a) of subsection (4) of section
377 943.059, Florida Statutes, is amended to read:

378 943.059 Court-ordered sealing of criminal history
379 records.—The courts of this state shall continue to have
380 jurisdiction over their own procedures, including the
381 maintenance, sealing, and correction of judicial records

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

Amendment No. 1

382 containing criminal history information to the extent such
383 procedures are not inconsistent with the conditions,
384 responsibilities, and duties established by this section. Any
385 court of competent jurisdiction may order a criminal justice
386 agency to seal the criminal history record of a minor or an
387 adult who complies with the requirements of this section. The
388 court shall not order a criminal justice agency to seal a
389 criminal history record until the person seeking to seal a
390 criminal history record has applied for and received a
391 certificate of eligibility for sealing pursuant to subsection
392 (2). A criminal history record that relates to a violation of s.
393 393.135, s. 394.4593, s. 787.025, chapter 794, s. 796.03, s.
394 800.04, s. 810.14, s. 817.034, s. 825.1025, s. 827.071, chapter
395 839, s. 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s.
396 916.1075, a violation enumerated in s. 907.041, or any violation
397 specified as a predicate offense for registration as a sexual
398 predator pursuant to s. 775.21, without regard to whether that
399 offense alone is sufficient to require such registration, or for
400 registration as a sexual offender pursuant to s. 943.0435, may
401 not be sealed, without regard to whether adjudication was
402 withheld, if the defendant was found guilty of or pled guilty or
403 nolo contendere to the offense, or if the defendant, as a minor,
404 was found to have committed or pled guilty or nolo contendere to
405 committing the offense as a delinquent act. The court may only
406 order sealing of a criminal history record pertaining to one
407 arrest or one incident of alleged criminal activity, except as
408 provided in this section. The court may, at its sole discretion,
409 order the sealing of a criminal history record pertaining to

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

Amendment No. 1

410 more than one arrest if the additional arrests directly relate
411 to the original arrest. If the court intends to order the
412 sealing of records pertaining to such additional arrests, such
413 intent must be specified in the order. A criminal justice agency
414 may not seal any record pertaining to such additional arrests if
415 the order to seal does not articulate the intention of the court
416 to seal records pertaining to more than one arrest. This section
417 does not prevent the court from ordering the sealing of only a
418 portion of a criminal history record pertaining to one arrest or
419 one incident of alleged criminal activity. Notwithstanding any
420 law to the contrary, a criminal justice agency may comply with
421 laws, court orders, and official requests of other jurisdictions
422 relating to sealing, correction, or confidential handling of
423 criminal history records or information derived therefrom. This
424 section does not confer any right to the sealing of any criminal
425 history record, and any request for sealing a criminal history
426 record may be denied at the sole discretion of the court.

427 (4) EFFECT OF CRIMINAL HISTORY RECORD SEALING.—A criminal
428 history record of a minor or an adult which is ordered sealed by
429 a court of competent jurisdiction pursuant to this section is
430 confidential and exempt from the provisions of s. 119.07(1) and
431 s. 24(a), Art. I of the State Constitution and is available only
432 to the person who is the subject of the record, to the subject's
433 attorney, to criminal justice agencies for their respective
434 criminal justice purposes, which include conducting a criminal
435 history background check for approval of firearms purchases or
436 transfers as authorized by state or federal law, to judges in
437 the state courts system for the purpose of assisting them in

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

Amendment No. 1

438 their case-related decisionmaking responsibilities, as set forth
439 in s. 943.053(5), or to those entities set forth in
440 subparagraphs (a)1., 4., 5., 6., and 8. for their respective
441 licensing, access authorization, and employment purposes.

442 (a) The subject of a criminal history record sealed under
443 this section or under other provisions of law, including former
444 s. 893.14, former s. 901.33, and former s. 943.058, may lawfully
445 deny or fail to acknowledge the arrests covered by the sealed
446 record, except when the subject of the record:

447 1. Is a candidate for employment with a criminal justice
448 agency;

449 2. Is a defendant in a criminal prosecution;

450 3. Concurrently or subsequently petitions for relief under
451 this section or s. 943.0585;

452 4. Is a candidate for admission to The Florida Bar;

453 5. Is seeking to be employed or licensed by or to contract
454 with the Department of Children and Family Services, the Agency
455 for Health Care Administration, the Agency for Persons with
456 Disabilities, the Department of Health, the Department of
457 Elderly Affairs, or the Department of Juvenile Justice or to be
458 employed or used by such contractor or licensee in a sensitive
459 position having direct contact with children, the
460 developmentally disabled, ~~the aged~~, or the elderly ~~as provided~~
461 ~~in s. 110.1127(3), s. 393.063, s. 394.4572(1), s. 397.451, s.~~
462 ~~402.302(3), s. 402.313(3), s. 409.175(2)(i), s. 415.102(5), s.~~
463 ~~415.103, chapter 916, s. 985.644, chapter 400, or chapter 429;~~

464 6. Is seeking to be employed or licensed by the Department
465 of Education, any district school board, any university

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

Amendment No. 1

466 laboratory school, any charter school, any private or parochial
467 school, or any local governmental entity that licenses child
468 care facilities;

469 7. Is attempting to purchase a firearm from a licensed
470 importer, licensed manufacturer, or licensed dealer and is
471 subject to a criminal history check under state or federal law;
472 or

473 8. Is seeking authorization from a Florida seaport
474 identified in s. 311.09 for employment within or access to one
475 or more of such seaports pursuant to s. 311.12.

476 Section 17. This act shall take effect upon becoming a law
477

478

479

480

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

Remove lines 50-57 and insert:

483 certified nursing assistants; amending s. 409.221, F.S.;

484 revising provisions relating to background screening for persons

485 rendering care in the consumer-directed care program; amending

486 s. 435.02, F.S.; revising and providing definitions relating to

487 employment screening; creating s. 435.12, F.S.; creating the

488 Background Screening Clearinghouse; providing for the

489 implementation and operation of the Clearinghouse; providing

490 for the results of certain criminal history checks to be shared

491 among specified agencies; providing for retention of

492 fingerprints; providing for the registration of employers;

493 creating s. 456.0135, F.S.; providing that certain fingerprints

471799 - h943-line440.docx

Published On: 1/24/2012 7:54:11 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 943 (2012)

Amendment No. 1

494 submitted to the Department of Health after a certain date be
495 submitted by an approved vendor pursuant to certain procedures ;
496 amending s. 943.05, F.S.; providing certain procedures for
497 qualified entities participating in the Criminal Justice
498 Information Program that elect to participate in the fingerprint
499 retention program; amending s. 943.053, F.S.; providing
500 procedures for the submission of fingerprints for certain
501 criminal history checks; amending s. 943.0585, F.S.; revising
502 provisions relating to the court-ordered expunction of criminal
503 history records; amending s. 943.059, F.S.; provisions relating
504 to the court-ordered sealing of criminal history records;
505 providing an effective date.

506