

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Jones, S. offered the following:

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

6 Remove everything after the enacting clause and insert:
 7 Section 1. Subsection (1) and paragraphs (a), (b), (c),
 8 and (d) of subsection (2) of section 943.0438, Florida Statutes,
 9 are amended to read:

10 943.0438 Athletic coaches for independent sanctioning
 11 authorities.-

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

13 (a) "Athletic coach" means a person who:

14 1. Is authorized by an independent sanctioning authority
 15 to work as a coach, assistant coach, or referee for 20 or more
 16 hours within a calendar year, whether for compensation or as a
 17 volunteer, for a youth athletic team based in this state; and

Amendment No. 1

18 2. Has direct contact with one or more minors on the youth
19 athletic team.

20 (b) "Independent sanctioning authority" means a private,
21 nongovernmental entity that organizes, operates, or coordinates
22 a youth athletic team in this state if the team includes one or
23 more minors and is not affiliated with a private school as
24 defined in s. 1002.01.

25 (2) An independent sanctioning authority shall:

26 (a)1. Conduct a Level 1 background screening pursuant to
27 s. 435.03 of each current and prospective athletic coach. The
28 authority may not delegate this responsibility to an individual
29 team or program and may not authorize any ~~No person shall be~~
30 ~~authorized by the independent sanctioning authority~~ to act as an
31 athletic coach unless a Level 1 background screening is ~~has been~~
32 conducted and does ~~did~~ not result in disqualification under
33 paragraph (b). Level 1 background screenings shall be conducted
34 annually for each athletic coach. For purposes of this section,
35 a background screening shall include ~~be conducted with~~ a search
36 of the athletic coach's name or other identifying information
37 against state and federal registries of sexual predators and
38 sexual offenders, which are available to the public on Internet
39 sites provided by:

40 a. The Department of Law Enforcement under s. 943.043; and

41 b. The Attorney General of the United States under 42
42 U.S.C. s. 16920.

Amendment No. 1

43 2. For purposes of this section, a background screening
44 conducted by a commercial consumer reporting agency in
45 compliance with the federal Fair Credit Reporting Act using the
46 identifying information referenced in subparagraph 1. ~~and that~~
47 includes a Level 1 background screening and a search of
48 ~~searching~~ that information against the sexual predator and
49 sexual offender Internet sites listed in sub-subparagraphs 1.a.
50 and b. shall be deemed to satisfy ~~in compliance with~~ the
51 requirements of this paragraph ~~section~~.

52 (b) Disqualify any person from acting as an athletic coach
53 as provided in s. 435.03 or if he or she is identified on a
54 registry described in paragraph (a). The authority may allow a
55 person disqualified under this paragraph to act as an athletic
56 coach if it determines that the person meets the requirements
57 for an exemption from disqualification under s. 435.07.

58 (c) Provide, within 7 business days following the
59 background screening under paragraph (a), written notice to a
60 person disqualified under this section advising the person of
61 the results and of his or her disqualification.

62 (d) Maintain for at least 5 years documentation of:

63 1. The results for each person screened under paragraph
64 (a); and

65 2. The written notice of disqualification provided to each
66 person under paragraph (c).

67 Section 2. This act shall take effect July 1, 2014.

68

Amendment No. 1

69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84

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

Remove everything before the enacting clause and insert:

An act relating to athletic coaches for youth athletic teams; amending s. 943.0438, F.S.; revising the definition of "athletic coach"; expanding provisions relating to athletic coaches for independent sanctioning authorities to require such sanctioning authorities to conduct specified background screening of certain athletic coaches of youth athletic teams; providing that the duty may not be delegated; providing for disqualification; providing for exemption from disqualification; requiring that specified documentation be maintained for a specified period by such sanctioning authorities; providing an effective date.