



952268

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/04/2016	.	
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The Committee on Children, Families, and Elder Affairs (Altman) recommended the following:

Senate Amendment (with title amendment)

Delete lines 9 - 20

and insert:

Section 1. Subsection (4) of section 435.07, Florida Statutes, is amended to read:

435.07 Exemption from disqualification.— Unless otherwise provided by law, the provisions of this section apply to exemptions from disqualification for disqualifying offenses revealed pursuant to background screenings required under this



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11 chapter, regardless of whether those disqualifying offenses are
12 listed in this chapter or other laws.

13 (4) (a) Disqualification from employment under this chapter may
14 not be removed from, nor may an exemption be granted to, any
15 personnel who is found guilty of, regardless of adjudication, or
16 who has entered a plea of nolo contendere or guilty to, any
17 felony covered by s. 435.03 or s. 435.04 solely by reason of any
18 pardon, executive clemency, or restoration of civil rights.

19 (b) Disqualification from employment under this chapter may not
20 be removed from, nor may an exemption be granted to, any person
21 who is a:

- 22 1. Sexual predator as designated pursuant to s. 775.21;
- 23 2. Career offender pursuant to s. 775.261; or
- 24 3. Sexual offender pursuant to s. 943.0435, unless the
25 requirement to register as a sexual offender has been removed
26 pursuant to s. 943.04354.

27 (c) Disqualification from employment under this chapter may not
28 be removed from, nor may an exemption be granted to, any current
29 or perspective personnel with a child care provider if such
30 person is registered as a sex offender as described in 42 U.S.C.
31 s. 9858f (c) (1) (c) or has been arrested for and is awaiting
32 final disposition of, has been found guilty of, regardless of
33 adjudication, or entered a plea of nolo contendere or guilty to,
34 or has been adjudicated delinquent and the record has not been
35 sealed or expunged for, any felony or misdemeanor referenced in
36 42 U.S.C. s. 9858f or any felony or misdemeanor covered by s.
37 435.03 or s. 435.04. Such persons are disqualified from
38 employment with a child care provider notwithstanding any prior
39 exemption from disqualification. Any person employed by a child



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40 care provider on July 1, 2016, who has been granted an exemption
41 to a disqualification from employment must be rescreened no
42 later than August 1, 2016.

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

46 And the title is amended as follows:

47 Delete lines 3 - 5

48 and insert:

49 care personnel; amending s. 435.07, F.S.; preventing the removal
50 of a disqualification from employment for certain child care
51 personnel; preventing the granting of an exemption from
52 disqualification from employment for certain child care
53 personnel; referencing disqualifying offenses; providing an
54 effective date.

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