

By the Committee on Children, Families, and Elder Affairs; and
Senator Bean

586-03044-16

20161420c1

1 A bill to be entitled

2 An act relating to eligibility for employment as child
3 care personnel; amending s. 435.07, F.S.; prohibiting
4 the removal of or exemption from certain
5 disqualifications from employment for child care
6 personnel under certain circumstances; specifying
7 certain offenses that disqualify a person from child
8 care employment, notwithstanding any prior exemption;
9 requiring that certain persons who have been granted
10 an exemption from disqualification from child care
11 employment be rescreened by a certain date; providing
12 an effective date.

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

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16 Section 1. Paragraph (c) is added to subsection (4) of
17 section 435.07, Florida Statutes, to read:

18 435.07 Exemptions from disqualification.—Unless otherwise
19 provided by law, the provisions of this section apply to
20 exemptions from disqualification for disqualifying offenses
21 revealed pursuant to background screenings required under this
22 chapter, regardless of whether those disqualifying offenses are
23 listed in this chapter or other laws.

24 (4)

25 (c)1. Disqualification from employment under this chapter
26 may not be removed from, nor may an exemption be granted to, any
27 current or prospective employee of a child care provider if the
28 person:

29 a. Is registered as a sex offender as described in 42
30 U.S.C. s. 9858f (c) (1) (c); or

31 b. Has been arrested for and is awaiting final disposition

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32 of; has been found guilty of, regardless of adjudication, or
33 entered a plea of nolo contendere or guilty to; or has been
34 adjudicated delinquent and the record has not been sealed or
35 expunged for any felony or misdemeanor referenced in 42 U.S.C.
36 s. 9858f or any felony or misdemeanor covered by s. 435.03 or s.
37 435.04.

38 2. Such persons are disqualified from employment with a
39 child care provider, notwithstanding any prior exemption from
40 disqualification from employment.

41 3. A person employed by a child care provider on July 1,
42 2016, who has been granted an exemption to a disqualification
43 from employment must be rescreened no later than August 1, 2016.

44 Section 2. This act shall take effect July 1, 2016.