

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Latvala offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 2557 and 2558, insert:

5 Section 50. Paragraphs (g) through (v) of subsection (4)  
6 of section 408.809, Florida Statutes, are redesignated as  
7 paragraphs (h) through (w), respectively, and a new paragraph  
8 (g) is added to that subsection, to read:

9 408.809 Background screening; prohibited offenses.—

10 (4) In addition to the offenses listed in s. 435.04, all  
11 persons required to undergo background screening pursuant to  
12 this part or authorizing statutes must not have an arrest  
13 awaiting final disposition for, must not have been found guilty

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14 of, regardless of adjudication, or entered a plea of nolo  
15 contendere or guilty to, and must not have been adjudicated  
16 delinquent and the record not have been sealed or expunged for  
17 any of the following offenses or any similar offense of another  
18 jurisdiction:

19 (g) Section 784.03, relating to battery, if the victim is  
20 a vulnerable adult as defined in s. 415.102 or a patient or  
21 resident of a facility licensed under chapter 395, chapter 400,  
22 or chapter 429.

23  
24 If, upon rescreening, a person who is currently employed or  
25 contracted with a licensee as of June 30, 2014, and was screened  
26 and qualified under ss. 435.03 and 435.04, has a disqualifying  
27 offense that was not a disqualifying offense at the time of the  
28 last screening, but is a current disqualifying offense and was  
29 committed before the last screening, he or she may apply for an  
30 exemption from the appropriate licensing agency and, if agreed  
31 to by the employer, may continue to perform his or her duties  
32 until the licensing agency renders a decision on the application  
33 for exemption if the person is eligible to apply for an  
34 exemption and the exemption request is received by the agency no  
35 later than 30 days after receipt of the rescreening results by  
36 the person.

37 Section 51. Subsection (5) is added to section 456.0135,  
38 Florida Statutes, to read:

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39 456.0135 General background screening provisions.—  
 40 (5) In addition to the offenses listed in s. 435.04, all  
 41 persons required to undergo background screening under this  
 42 section, other than those licensed under s. 465.022, must not  
 43 have an arrest awaiting final disposition for, must not have  
 44 been found guilty of, regardless of adjudication, or entered a  
 45 plea of nolo contendere or guilty to, and must not have been  
 46 adjudicated delinquent and the record not have been sealed or  
 47 expunged for an offense or any similar offense of another  
 48 jurisdiction under s. 784.03, relating to battery, if the victim  
 49 is a vulnerable adult as defined in s. 415.102 or a patient or  
 50 resident of a facility licensed under chapter 395, chapter 400,  
 51 or chapter 429.

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

54 Remove line 186 and insert:  
 55 term "surf pool"; amending s. 408.809, F.S.; providing  
 56 that battery on a specified victim is a disqualifying  
 57 offense for employment in certain health care  
 58 facilities; amending s. 456.0135, F.S.; providing that  
 59 battery on a specified victim is a disqualifying  
 60 offense for licensure as a health care practitioner;  
 61 amending s. 553.77, F.S.; conforming  
 62

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