



581238

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/14/2024	.	
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The Appropriations Committee on Health and Human Services
(Grall) recommended the following:

1 **Senate Substitute for Amendment (182152) (with title**
2 **amendment)**

3
4 Before line 55
5 insert:

6 Section 1. Subsection (2) of section 435.04, Florida
7 Statutes, as amended by section 2 of chapter 2023-220, Laws of
8 Florida, is amended to read:

9 435.04 Level 2 screening standards.—

10 (2) The security background investigations under this



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11 section must ensure that persons subject to this section have
12 not been arrested for and are not awaiting final disposition of,
13 have not been found guilty of, regardless of adjudication, or
14 entered a plea of nolo contendere or guilty to, or have not been
15 adjudicated delinquent and the record has not been sealed or
16 expunged for, any offense prohibited under any of the following
17 provisions of state law or similar law of another jurisdiction:

18 (a) Section 39.205, relating to the failure to report child
19 abuse, abandonment, or neglect.

20 (b) Section 393.135, relating to sexual misconduct with
21 certain developmentally disabled clients and reporting of such
22 sexual misconduct.

23 (c) ~~(b)~~ Section 394.4593, relating to sexual misconduct with
24 certain mental health patients and reporting of such sexual
25 misconduct.

26 (d) Section 414.39, relating to fraud, if the offense was a
27 felony.

28 (e) ~~(e)~~ Section 415.111, relating to adult abuse, neglect,
29 or exploitation of aged persons or disabled adults.

30 (f) ~~(d)~~ Section 777.04, relating to attempts, solicitation,
31 and conspiracy to commit an offense listed in this subsection.

32 (g) ~~(e)~~ Section 782.04, relating to murder.

33 (h) ~~(f)~~ Section 782.07, relating to manslaughter, aggravated
34 manslaughter of an elderly person or disabled adult, or
35 aggravated manslaughter of a child.

36 (i) ~~(g)~~ Section 782.071, relating to vehicular homicide.

37 (j) ~~(h)~~ Section 782.09, relating to killing of an unborn
38 child by injury to the mother.

39 (k) ~~(i)~~ Chapter 784, relating to assault, battery, and



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40 culpable negligence, if the offense was a felony.

41 (l)~~(j)~~ Section 784.011, relating to assault, if the victim
42 of the offense was a minor.

43 (m)~~(k)~~ Section 784.021, relating to aggravated assault.

44 (n)~~(l)~~ Section 784.03, relating to battery, if the victim
45 of the offense was a minor.

46 (o)~~(m)~~ Section 784.045, relating to aggravated battery.

47 (p)~~(n)~~ Section 784.075, relating to battery on staff of a
48 detention or commitment facility or on a juvenile probation
49 officer.

50 (q)~~(o)~~ Section 787.01, relating to kidnapping.

51 (r)~~(p)~~ Section 787.02, relating to false imprisonment.

52 (s)~~(q)~~ Section 787.025, relating to luring or enticing a
53 child.

54 (t)~~(r)~~ Section 787.04(2), relating to taking, enticing, or
55 removing a child beyond the state limits with criminal intent
56 pending custody proceedings.

57 (u)~~(s)~~ Section 787.04(3), relating to carrying a child
58 beyond the state lines with criminal intent to avoid producing a
59 child at a custody hearing or delivering the child to the
60 designated person.

61 (v) Section 787.06, relating to human trafficking.

62 (w) Section 787.07, relating to human smuggling.

63 (x)~~(t)~~ Section 790.115(1), relating to exhibiting firearms
64 or weapons within 1,000 feet of a school.

65 (y)~~(u)~~ Section 790.115(2)(b), relating to possessing an
66 electric weapon or device, destructive device, or other weapon
67 on school property.

68 (z)~~(v)~~ Section 794.011, relating to sexual battery.



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69 (aa)~~(w)~~ Former s. 794.041, relating to prohibited acts of
70 persons in familial or custodial authority.

71 (bb)~~(x)~~ Section 794.05, relating to unlawful sexual
72 activity with certain minors.

73 (cc)~~(y)~~ Section 794.08, relating to female genital
74 mutilation.

75 (dd)~~(z)~~ Chapter 796, relating to prostitution.

76 (ee)~~(aa)~~ Section 798.02, relating to lewd and lascivious
77 behavior.

78 (ff)~~(bb)~~ Chapter 800, relating to lewdness and indecent
79 exposure and offenses against students by authority figures.

80 (gg)~~(cc)~~ Section 806.01, relating to arson.

81 (hh)~~(dd)~~ Section 810.02, relating to burglary.

82 (ii)~~(ee)~~ Section 810.14, relating to voyeurism, if the
83 offense is a felony.

84 (jj)~~(ff)~~ Section 810.145, relating to video voyeurism, if
85 the offense is a felony.

86 (kk)~~(gg)~~ Chapter 812, relating to theft, robbery, and
87 related crimes, if the offense is a felony.

88 (ll)~~(hh)~~ Section 817.563, relating to fraudulent sale of
89 controlled substances, only if the offense was a felony.

90 (mm)~~(ii)~~ Section 825.102, relating to abuse, aggravated
91 abuse, or neglect of an elderly person or disabled adult.

92 (nn)~~(jj)~~ Section 825.1025, relating to lewd or lascivious
93 offenses committed upon or in the presence of an elderly person
94 or disabled adult.

95 (oo)~~(kk)~~ Section 825.103, relating to exploitation of an
96 elderly person or disabled adult, if the offense was a felony.

97 (pp)~~(ll)~~ Section 826.04, relating to incest.



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98 ~~(qq)~~ ~~(mm)~~ Section 827.03, relating to child abuse,
99 aggravated child abuse, or neglect of a child.

100 ~~(rr)~~ ~~(nn)~~ Section 827.04, relating to contributing to the
101 delinquency or dependency of a child.

102 ~~(ss)~~ ~~(oo)~~ Former s. 827.05, relating to negligent treatment
103 of children.

104 ~~(tt)~~ ~~(pp)~~ Section 827.071, relating to sexual performance by
105 a child.

106 (uu) Section 831.311, relating to the unlawful sale,
107 manufacture, alteration, delivery, uttering, or possession of
108 counterfeit-resistant prescription blanks for controlled
109 substances.

110 (vv) Section 836.10, relating to written or electronic
111 threats to kill, do bodily injury, or conduct a mass shooting or
112 an act of terrorism.

113 ~~(ww)~~ ~~(qq)~~ Section 843.01, relating to resisting arrest with
114 violence.

115 ~~(xx)~~ ~~(rr)~~ Section 843.025, relating to depriving a law
116 enforcement, correctional, or correctional probation officer
117 means of protection or communication.

118 ~~(yy)~~ ~~(ss)~~ Section 843.12, relating to aiding in an escape.

119 ~~(zz)~~ ~~(tt)~~ Section 843.13, relating to aiding in the escape
120 of juvenile inmates in correctional institutions.

121 ~~(aaa)~~ ~~(uu)~~ Chapter 847, relating to obscene literature.

122 (bbb) Section 859.01, relating to poisoning food or water.

123 (ccc) Section 873.01, relating to the prohibition on the
124 purchase or sale of human organs and tissue.

125 ~~(ddd)~~ ~~(vv)~~ Section 874.05, relating to encouraging or
126 recruiting another to join a criminal gang.



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127 (eee)~~(ww)~~ Chapter 893, relating to drug abuse prevention
128 and control, only if the offense was a felony or if any other
129 person involved in the offense was a minor.

130 (fff)~~(xx)~~ Section 916.1075, relating to sexual misconduct
131 with certain forensic clients and reporting of such sexual
132 misconduct.

133 (ggg)~~(yy)~~ Section 944.35(3), relating to inflicting cruel
134 or inhuman treatment on an inmate resulting in great bodily
135 harm.

136 (hhh)~~(zz)~~ Section 944.40, relating to escape.

137 (iii)~~(aa)~~ Section 944.46, relating to harboring,
138 concealing, or aiding an escaped prisoner.

139 (jjj)~~(bb)~~ Section 944.47, relating to introduction of
140 contraband into a correctional facility.

141 (kkk)~~(cc)~~ Section 985.701, relating to sexual misconduct
142 in juvenile justice programs.

143 (lll)~~(dd)~~ Section 985.711, relating to contraband
144 introduced into detention facilities.

145
146 ===== T I T L E A M E N D M E N T =====

147 And the title is amended as follows:

148 Delete line 3

149 and insert:

150 ; amending s. 435.04, F.S.; specifying additional
151 disqualifying offenses under the background screening
152 requirements for certain persons; amending s.
153 456.0135,