

26 current or past experience of homelessness, as defined in 24
 27 C.F.R. s. 578.3, including persons who have accessed or sought
 28 homeless services while fleeing domestic violence.

29 Section 2. Section 420.6241, Florida Statutes, is created
 30 to read:

31 420.6241 Persons with lived experience.—

32 (1) LEGISLATIVE INTENT.—The Legislature finds that the
 33 ability to provide adequate homeless services is limited due to
 34 a shortage of professionals and paraprofessionals in the field.
 35 Persons with lived experience of homelessness are uniquely
 36 qualified to provide effective support services because they
 37 share common life experiences with the persons they assist. A
 38 person with lived experience may have a criminal history that
 39 prevents him or her from meeting background screening
 40 requirements.

41 (2) QUALIFICATIONS.—A person may seek certification as a
 42 person with lived experience if he or she has received homeless
 43 services. A continuum of care lead agency serving the homeless
 44 must include documentation of the homeless services such person
 45 received when requesting a background check of the applicant.

46 (3) DUTIES OF THE DEPARTMENT.—The department shall ensure
 47 that an applicant's background screening required to achieve
 48 certification is conducted as provided in subsection (4).

49 (4) BACKGROUND SCREENING.—

50 (a) The background screening conducted under this

51 subsection must ensure that the qualified applicant has not,
52 during the preceding 3 years, been arrested for and is not
53 awaiting final disposition of, has not been found guilty of,
54 regardless of adjudication, or entered a plea of nolo contendere
55 or guilty to, or has not been adjudicated delinquent and the
56 record has been sealed or expunged for, any felony.

57 (b) The background screening conducted under this
58 subsection must ensure that the qualified applicant has not been
59 arrested for and is not awaiting final disposition of, has not
60 been found guilty of, regardless of adjudication, or entered a
61 plea of nolo contendere or guilty to, or has not been
62 adjudicated delinquent and the record has been sealed or
63 expunged for, any offense prohibited under any of the following
64 state laws or similar laws of another jurisdiction:

65 1. Section 393.135, relating to sexual misconduct with
66 certain developmentally disabled clients and reporting of such
67 sexual misconduct.

68 2. Section 394.4593, relating to sexual misconduct with
69 certain mental health patients and reporting of such sexual
70 misconduct.

71 3. Section 409.920, relating to Medicaid provider fraud,
72 if the offense is a felony of the first or second degree.

73 4. Section 415.111, relating to criminal penalties for
74 abuse, neglect, or exploitation of vulnerable adults.

75 5. Any offense that constitutes domestic violence, as

- 76 defined in s. 741.28.
- 77 6. Section 777.04, relating to attempts, solicitation, and
 78 conspiracy to commit an offense listed in this paragraph.
- 79 7. Section 782.04, relating to murder.
- 80 8. Section 782.07, relating to manslaughter, aggravated
 81 manslaughter of an elderly person or a disabled adult,
 82 aggravated manslaughter of a child, or aggravated manslaughter
 83 of an officer, a firefighter, an emergency medical technician,
 84 or a paramedic.
- 85 9. Section 782.071, relating to vehicular homicide.
- 86 10. Section 782.09, relating to killing of an unborn child
 87 by injury to the mother.
- 88 11. Chapter 784, relating to assault, battery, and
 89 culpable negligence, if the offense is a felony.
- 90 12. Section 787.01, relating to kidnapping.
- 91 13. Section 787.02, relating to false imprisonment.
- 92 14. Section 787.025, relating to luring or enticing a
 93 child.
- 94 15. Section 787.04(2), relating to leading, taking,
 95 enticing, or removing a minor beyond the state limits, or
 96 concealing the location of a minor, with criminal intent pending
 97 custody proceedings.
- 98 16. Section 787.04(3), relating to leading, taking,
 99 enticing, or removing a minor beyond the state limits, or
 100 concealing the location of a minor, with criminal intent pending

101 dependency proceedings or proceedings concerning alleged abuse
 102 or neglect of a minor.

103 17. Section 790.115(1), relating to exhibiting firearms or
 104 weapons within 1,000 feet of a school.

105 18. Section 790.115(2)(b), relating to possessing an
 106 electric weapon or device, a destructive device, or any other
 107 weapon on school property.

108 19. Section 794.011, relating to sexual battery.

109 20. Former s. 794.041, relating to prohibited acts of
 110 persons in familial or custodial authority.

111 21. Section 794.05, relating to unlawful sexual activity
 112 with certain minors.

113 22. Section 794.08, relating to female genital mutilation.

114 23. Section 796.07, relating to procuring another to
 115 commit prostitution, except for those offenses expunged pursuant
 116 to s. 943.0583.

117 24. Section 798.02, relating to lewd and lascivious
 118 behavior.

119 25. Chapter 800, relating to lewdness and indecent
 120 exposure.

121 26. Section 806.01, relating to arson.

122 27. Section 810.02, relating to burglary, if the offense
 123 is a felony of the first degree.

124 28. Section 810.14, relating to voyeurism, if the offense
 125 is a felony.

126 29. Section 810.145, relating to video voyeurism, if the
 127 offense is a felony.

128 30. Section 812.13, relating to robbery.

129 31. Section 812.131, relating to robbery by sudden
 130 snatching.

131 32. Section 812.133, relating to carjacking.

132 33. Section 812.135, relating to home-invasion robbery.

133 34. Section 817.034, relating to communications fraud, if
 134 the offense is a felony of the first degree.

135 35. Section 817.234, relating to false and fraudulent
 136 insurance claims, if the offense is a felony of the first or
 137 second degree.

138 36. Section 817.50, relating to fraudulently obtaining
 139 goods or services from a health care provider and false reports
 140 of a communicable disease.

141 37. Section 817.505, relating to patient brokering.

142 38. Section 817.568, relating to fraudulent use of
 143 personal identification, if the offense is a felony of the first
 144 or second degree.

145 39. Section 825.102, relating to abuse, aggravated abuse,
 146 or neglect of an elderly person or a disabled adult.

147 40. Section 825.1025, relating to lewd or lascivious
 148 offenses committed upon or in the presence of an elderly person
 149 or a disabled person.

150 41. Section 825.103, relating to exploitation of an

- 151 elderly person or a disabled adult, if the offense is a felony.
- 152 42. Section 826.04, relating to incest.
- 153 43. Section 827.03, relating to child abuse, aggravated
- 154 child abuse, or neglect of a child.
- 155 44. Section 827.04, relating to contributing to the
- 156 delinquency or dependency of a child.
- 157 45. Former s. 827.05, relating to negligent treatment of
- 158 children.
- 159 46. Section 827.071, relating to sexual performance by a
- 160 child.
- 161 47. Section 831.30, relating to fraud in obtaining
- 162 medicinal drugs.
- 163 48. Section 831.31, relating to the sale, manufacture,
- 164 delivery, or possession with intent to sell, manufacture, or
- 165 deliver any counterfeit controlled substance, if the offense is
- 166 a felony.
- 167 49. Section 843.01, relating to resisting arrest with
- 168 violence.
- 169 50. Section 843.025, relating to depriving a law
- 170 enforcement, correctional, or correctional probation officer of
- 171 the means of protection or communication.
- 172 51. Section 843.12, relating to aiding in an escape.
- 173 52. Section 843.13, relating to aiding in the escape of
- 174 juvenile inmates of correctional institutions.
- 175 53. Chapter 847, relating to obscenity.

176 54. Section 874.05, relating to encouraging or recruiting
 177 another to join a criminal gang.

178 55. Chapter 893, relating to drug abuse prevention and
 179 control, if the offense is a felony of the second degree or
 180 greater severity.

181 56. Section 895.03, relating to racketeering and
 182 collection of unlawful debts.

183 57. Section 896.101, relating to the Florida Money
 184 Laundering Act.

185 58. Section 916.1075, relating to sexual misconduct with
 186 certain forensic clients and reporting of such sexual
 187 misconduct.

188 59. Section 944.35(3), relating to inflicting cruel or
 189 inhuman treatment on an inmate, resulting in great bodily harm.

190 60. Section 944.40, relating to escape.

191 61. Section 944.46, relating to harboring, concealing, or
 192 aiding an escaped prisoner.

193 62. Section 944.47, relating to introduction of contraband
 194 into a correctional institution.

195 63. Section 985.701, relating to sexual misconduct in
 196 juvenile justice programs.

197 64. Section 985.711, relating to introduction of
 198 contraband into a detention facility.

199 (5) EXEMPTION REQUESTS.—An applicant who desires to become
 200 a certified person with lived experience but is disqualified

CS/HB 563

2024

201 under subsection (4) may apply to the department for an
202 exemption from disqualification under s. 435.07, as applicable.
203 The department shall accept or reject an application for
204 exemption within 90 days after receiving the application from
205 the applicant.

206 Section 3. This act shall take effect July 1, 2024.