

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Trabulsy offered the following:

2
3 **Amendment (with directory and title amendments)**

4 Remove lines 34-102 and insert:

5 (a) "Athletic coach" means a person who:

6 1. Is authorized by an independent sanctioning authority
7 to work as a coach, assistant coach, manager, or referee,
8 whether for compensation or as a volunteer coach, assistant
9 coach, manager, or referee, for a youth athletic team based in
10 this state; and

11 2. Has direct contact with one or more minors on the youth
12 athletic team.

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13 (c) "Team based in this state" means a group of players
14 which is assembled in this state to form one side in a
15 competitive game or sport and which primarily practices and
16 competes in this state.

17 (2) An independent sanctioning authority shall:

18 (a) Effective July 1, 2026:7

19 1. Be considered a qualified entity for purposes of
20 participating in the Care Provider Background Screening
21 Clearinghouse under s. 435.12.

22 2. Conduct a level 2 background screening under s. 435.04
23 of each current and prospective athletic coach. The authority
24 may not delegate this responsibility to an individual team and
25 may not authorize any person to act as an athletic coach unless
26 a level 2 background screening is conducted and does not result
27 in disqualification under subparagraph 3 ~~paragraph (b)~~.

28 ~~(b)1. Before January 1, 2026, or a later date as~~
29 ~~determined by the Agency for Health Care Administration for the~~
30 ~~participation of qualified entities in the Care Provider~~
31 ~~Background Screening Clearinghouse under s. 435.12, disqualify~~
32 ~~any person from acting as an athletic coach as provided in s.~~
33 ~~435.04. The authority may allow a person disqualified under this~~
34 ~~subparagraph to act as an athletic coach if it determines that~~
35 ~~the person meets the requirements for an exemption from~~
36 ~~disqualification under s. 435.07.~~

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37 ~~3.2. On or after January 1, 2026, or a later date as~~
38 ~~determined by the Agency for Health Care Administration, Not~~
39 allow any person to act as an athletic coach if he or she does
40 not pass the background screening qualifications in s. 435.04.
41 The authority may:

42 a. Allow a person disqualified under this subparagraph to
43 act as an athletic coach if the person has successfully
44 completed the exemption from the disqualification process under
45 s. 435.07.

46 b. Exempt a person under 18 years of age or a referee
47 disqualified under this subparagraph from the background
48 screening requirement if the person passes a Level 1 background
49 screening pursuant to s. 435.03 and is under the direct
50 supervision of an athletic coach who meets the background
51 screening requirements of this subsection. For purposes of this
52 subparagraph, the Level 1 background screening must include a
53 search of the person's name or other identifying information
54 against state and federal registries of sexual predators and
55 sexual offenders, which are available to the public on Internet
56 websites provided by the Department of Law Enforcement under s.
57 943.043, and the Attorney General of the United States under 42
58 U.S.C. s. 16920.

59 (c) ~~(d)~~ Maintain for at least 5 years documentation of:

60 1. The results for each person screened under paragraph
61 (a); and

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62 2. The written notice of disqualification provided to each
63 person under paragraph (b) ~~(e)~~.

64 **Section 2. Paragraph (a) of subsection (2) and subsection**
65 **(3) of section 943.0542, Florida Statutes, are amended to read:**

66 943.0542 Access to criminal history information provided
67 by the department to qualified entities.—

68 (2)(a) A qualified entity conducting background criminal
69 history checks under this section must:

70 1. Register with the department before submitting a
71 request for screening under this section. Each such request must
72 be voluntary and conform to the requirements established in the
73 National Child Protection Act of 1993, as amended. As a part of
74 the registration, the qualified entity must agree to comply with
75 state and federal law and must so indicate by signing an
76 agreement approved by the department. The qualified entity shall
77 designate a user administrator to act as the primary point of
78 contact and to manage compliance with state and federal laws
79 regarding the security and privacy of criminal history
80 information. The qualified entity may designate additional
81 authorized users with delegated authority to manage or access
82 the system for the purpose of requesting and reviewing
83 background screening information pursuant to this section. The
84 department shall periodically audit qualified entities to ensure
85 compliance with federal law and this section.

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86 2. Before January 1, 2026, or a later date as determined
87 by the Agency for Health Care Administration, submit to the
88 department, and effective January 1, 2026, or a later date as
89 determined by the Agency for Health Care Administration, submit
90 to the agency a request for screening an employee or volunteer
91 or person applying to be an employee or volunteer by submitting
92 fingerprints, or the request may be submitted electronically.
93 The qualified entity must maintain a signed waiver allowing the
94 release of the state and national criminal history record
95 information to the qualified entity.

96 (3) Through December 31, 2025, or a later date as
97 determined by the Agency for Health Care Administration, the
98 department shall provide directly to the qualified entity the
99 state criminal history records that are not exempt from
100 disclosure under chapter 119 or otherwise confidential under
101 law. A person who is the subject of a state criminal history
102 record may challenge the record only as provided in s. 943.056.
103 Effective January 1, 2026, or a later date as determined by the
104 Agency for Health Care Administration, the Care Provider
105 Background Screening Clearinghouse may provide such records to
106 the qualified entity only if the person challenges the record as
107 provided in this subsection or if the qualified entity is an
108 independent sanctioning authority that is compliant with the
109 Federal Protecting Young Victims from Sexual Abuse and Safe
110 Sport Authorization Act of 2017.

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D I R E C T O R Y A M E N D M E N T

Remove line 30 and insert:

**subsection (2) are amended, and paragraph (c) is added to
subsection (1) of that section, to read:**

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

Remove lines 4-10 and insert:

"athletic coach"; defining the term "team based in
this state"; providing that an independent sanctioning
authority is deemed to be a qualified entity for the
purpose of participating in the Care Provider
Background Screening Clearinghouse; authorizing an
independent sanctioning authority to allow certain
persons to act as athletic coaches and referees
without passing certain background screening
qualifications under certain circumstances; amending
s. 943.0542, F.S.; requiring qualified entities to
designate a user administrator for a specified
purpose; revising requirements for the Care Provider
Background Screening Clearinghouse to release
specified records to a qualified entity; amending ss.
943.0585 and 943.059, F.S.;

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