

CS/HB 7069 2nd eng. —Screening

by Policy Council; Criminal & Civil Justice Policy Council and Reps. Snyder, Porth and others (CS/CS/CS/SB 1520 by Health and Human Services Appropriations Committee, Criminal Justice Committee, Children, Families, and Elder Affairs Committee, and Senators Storms and Crist)

The bill substantially rewrites requirements and procedures for background screening of the persons and businesses that deal primarily with vulnerable populations. Major provisions of the bill include:

- Requiring that no person required to be screened may begin work until the screening has been completed;
- Increasing all Level 1 screening to Level 2 screening for persons working with vulnerable populations;
- Requiring all fingerprints to be submitted electronically by August 1, 2012;
- Requiring certain personnel that are not presently being screened to begin Level 2 screening;
- Including additional serious crimes to the list of disqualifying offenses;
- Authorizing agencies to request the retention of fingerprints by the Florida Department of Law Enforcement;
- Providing that an exemption for a disqualifying felony may not be granted until at least three years after the completion of all sentencing sanctions for that felony;
- Requiring that all exemptions from disqualification be granted only by the agency head;
- Requiring the department to randomly drug test licensed foster parents if there is reasonable suspicion that he or she is using illegal drugs, and providing that the cost of testing shall be paid by the foster parent and reimbursed by the department if the test is negative; and
- Providing that school districts provide a list of available substitute teachers to the early learning coalitions.

The new screening requirements are prospective; existing persons working with vulnerable populations are not required to be rescreened until such time they are otherwise required to be rescreened by existing law.

If approved by the Governor, these provisions take effect August 1, 2010.

Vote: Senate 37-0; House 112-0