

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Lynn offered the following:

Amendment (with title amendment)

On page 1, line 16, of the bill

insert:

Section 1. Paragraph (a) of subsection (1) of section 402.3055, Florida Statutes, is amended to read:

402.3055 Child care personnel requirements.--

(1) REQUIREMENTS FOR CHILD CARE PERSONNEL.--

(a) The department or local licensing agency shall require that the application for a child care license contain a question that specifically asks the applicant, owner, or operator if he or she has ever had a license denied, revoked, or suspended in any state or jurisdiction or has been the subject of a disciplinary action or been fined while employed in a child care facility. The applicant, owner, or operator shall sign an affidavit attesting ~~attest~~ to the accuracy of the information requested under penalty of perjury.

1. If the applicant, owner, or operator admits that he or she has been a party in such action, the department or

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1 local licensing agency shall review the nature of the
2 suspension, revocation, disciplinary action, or fine before
3 granting the applicant a license to operate a child care
4 facility.

5 2. If the applicant, owner, or operator denies that he
6 or she has been a party in such action in Florida, the
7 department or local licensing agency shall validate the
8 information provided by reviewing statewide child care
9 licensing records to determine if the applicant has had a
10 license denied, revoked, or suspended or has been the subject
11 of a disciplinary action or been fined while employed in a
12 child care facility prior to issuing a license.

13 3. If the department or local licensing agency
14 determines as the result of such review that it is not in the
15 best interest of the state or local jurisdiction for the
16 applicant to be licensed, a license shall not be granted.

17 Section 2. Section 402.3105, Florida Statutes, is
18 created to read:

19 402.3105 Central database on violations, citations,
20 and penalties imposed against child care facilities.--The
21 Department of Children and Family Services shall establish and
22 maintain a central database to record and compile all district
23 information relating to violations, citations, and penalties
24 imposed against child care facilities regulated by the
25 department. The database shall be designed by the State
26 Technology Office, in consultation with the department
27 pursuant to chapter 282, and the department shall implement,
28 operate, and maintain the system in accordance with the
29 policies and procedures established by the office. The
30 database shall be operated in a manner that enables the
31 department to identify and locate such information for

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1 purposes of monitoring and evaluating the uniformity and
 2 effectiveness of district investigations and enforcement, in
 3 order to ensure compliance of child care facilities with state
 4 regulatory requirements. The database shall further maintain
 5 and produce aggregate statistical reports monitoring patterns
 6 of violations, citations, and penalties, including the classes
 7 and types of violations, and any actions taken to suspend or
 8 revoke the license of a child care facility. The information
 9 in the database shall serve as a resource for the evaluation
 10 of child care facilities for license renewal but may not be
 11 used for employment screening. The information in the database
 12 shall be made available to the public upon request.

13 Section 3. The Department of Children and Family
 14 Services shall establish and impose uniform penalties for
 15 violations of ss. 402.301-402.319, Florida Statutes, and rules
 16 adopted thereunder.

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

20 And the title is amended as follows:

21 On page 1, line 2,

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23 after the semicolon insert:

24 amending s. 402.3055, F.S.; requiring
 25 validation of information provided by an
 26 applicant for a child care facility license;
 27 creating s. 402.3105, F.S.; requiring the
 28 Department of Children and Family Services to
 29 establish a database of information relating to
 30 violations, citations, and penalties imposed
 31 against child care facilities regulated by the

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1 state; providing duties of the State Technology
2 Office; specifying database capabilities and
3 uses of information contained therein;
4 requiring the department to establish and
5 impose uniform penalties; providing that
6 implementation is not subject to an
7 appropriation;
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