

FLORIDA HOUSE OF REPRESENTATIVES

FINAL BILL ANALYSIS

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BILL #: [CS/CS/HB 1069](#)

TITLE: Background Screenings

SPONSOR(S): Trabulsky and Hunschofsky

COMPANION BILL: [CS/SB 1168](#) (Grall)

LINKED BILLS: None

RELATED BILLS: None

FINAL HOUSE FLOOR ACTION: 104 Y's 0 N's

GOVERNOR'S ACTION: Approved

SUMMARY

Effect of the Bill:

The bill requires qualified entities that register with the Department of Law Enforcement (DLE) to designate a user administrator to act as the primary point of contact and manage compliance with state and federal laws. The bill prohibits a person from denying or failing to acknowledge expunged or sealed arrests if he or she is screened through the Care Provider Background Screening Clearinghouse (Clearinghouse) by a qualified entity, and requires DLE to disclose the existence of such criminal history records to such qualified entities.

The bill also makes several changes to the background screening requirements for independent sanctioning authorities (ISAs). The bill:

- Deems an ISA a qualified entity for purposes of participating in the Clearinghouse.
- Allows an ISA to exempt referees and persons under age 18 from the Level 2 background screening requirement, under certain circumstances.
- Allows the Clearinghouse to share background screening records with an ISA that is compliant with the Federal Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017.

Fiscal or Economic Impact:

None.

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

ANALYSIS

EFFECT OF THE BILL:

Background Screening

The bill makes several changes to background screening processes and the background screening requirements for independent sanctioning authorities (ISAs).

Background Screening Process

The bill creates new requirements for the [qualified entities](#) that choose to use the [Care Provider Background Screening Clearinghouse](#) (Clearinghouse), administered by the Agency for Health Care Administration (AHCA). The qualified entities must designate a user administrator to act as the primary point of contact and to manage compliance with state and federal laws regarding the security and privacy of criminal history information. The bill authorizes a qualified entity to designate additional authorized users with delegated authority to manage or access the system for the purpose of requesting and reviewing background screening information. This provision increases the likelihood that the qualified entities will comply with state and federal background screening laws. (Section [2](#))

The bill prohibits a person from denying or failing to acknowledge arrests covered by [expunged](#) or [sealed](#) records if he or she is screened through the Clearinghouse by a qualified entity. The bill requires DLE to disclose the sealed [criminal history records](#) or the existence of an expunged criminal history record to a qualified entity if a person is

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screened through the Clearinghouse by a qualified entity. The expunged or sealed records will go directly to AHCA to determine employment eligibility.¹ However, under current law, the qualified entities will only have direct access to the expunged or sealed records if an individual challenges the record or requests an [exemption from disqualification](#).² (Sections [3](#) and [4](#))

This change allows the Clearinghouse to share screening determinations from a [specified agency](#) with a qualified entity, and vice versa, eliminating the need for the specified agency or qualified entity to initiate a new applicant screening.³ Currently, the Clearinghouse allows specified agencies and qualified entities to find out whether an applicant already has background screening results in the Clearinghouse from a prior screening before initiating a new screening. If the applicant has a screening result in the Clearinghouse, the specified agency or qualified entity can initiate an [agency review](#) to receive a copy of the screening result. The specified agency or qualified entity will then be able to use the result to make an eligibility determination. Currently, all specified agency background screening results include sealed and expunged records information; however, without this change in the bill, DLE would not be allowed to disclose sealed and expunged records to the Clearinghouse for use in making the screening determination for qualified entities. According to AHCA, as current law stands, AHCA will have to segregate the screening results to prevent specified agencies and qualified entities from using each other's screening results, since qualified entities are not entitled to sealed and expunged record information; and specified agencies would receive an incomplete screening result without the sealed and expunged record information.⁴ Without this change in the bill, qualified entities would have to do a new screening rather than use the results of a prior screening. Note, however, that even with this bill change, qualified entities would only be able to access the actual criminal records if an individual challenges the record or requests an exemption.

[Independent Sanctioning Authorities](#)

The bill deems an ISA a qualified entity for purposes of participating in the Clearinghouse, which will allow the Clearinghouse to share the results of criminal history record checks related to current and prospective athletic coaches with such ISAs. (Section [1](#))

The bill allows an ISA to exempt referees and persons under age 18 from the Level 2 background screening requirement, if they pass a [Level 1](#) background screening and are under the direct supervision of an athletic coach who passed a Level 2 background screening requirement. This will allow certain athletic coaches to work without being required to comply with the [Level 2](#) background screening requirement that goes into effect July 1, 2026. (Section [1](#))

The bill allows the Clearinghouse to share state criminal history records with an ISA that is compliant with the [Federal Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017](#) (Safe Sport Authorization Act). However, the bill does not address national criminal history data. This provision will allow ISAs to use the state criminal history record to determine if an individual meets the background screening standards of the Safe Sport Authorization Act, avoiding an additional screening process. It is unclear what specific acts or provisions would make an ISA noncompliant, or how the Clearinghouse will determine whether ISAs are compliant with the Safe Sport Authorization Act. The bill does not address how long the Clearinghouse must suspend sharing state criminal history records with noncompliant ISAs. (Section [2](#))

The bill was approved by the Governor on May 22, 2026, ch. 2026-114, L.O.F., and will become effective on July 1, 2026. (Section [8](#))

¹ S. 943.0542 (5), F.S. AHCA determines the eligibility of the employee or volunteer of a qualified entity.

² [S. 943.0542, F.S.](#) Under current law, qualified entities have access to state records if the person challenges the records and have access to national records if the person request an exemption from disqualification.

³ Agency for Health Care Administration, *2026 Agency Legislative Bill Analysis on HB 1069*, on file with the Health & Human Services Committee. *See also*, Email from Jake Shanahan, Background Screening Bureau Chief, Agency for Health Care Administration, RE: Clearinghouse Question-HB 1069 (March 27, 2026).

⁴ Email from Jake Shanahan, Background Screening Bureau Chief, Agency for Health Care Administration, RE: Clearinghouse Question-HB 1069 (March 27, 2026).

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Criminal Background Screening

Under current law, certain professions and employment settings⁵ are subject to criminal background screening and licensure or employment disqualification for certain past criminal offenses. Chapter 435, F.S., establishes procedures and requirements for criminal history background screening. There are two levels of background screening:

- [Level 1](#) screening includes, at a minimum, employment history checks and statewide criminal correspondence checks through the Department of Law Enforcement (DLE) and a check of the Dru Sjodin National Sex Offender Public Website,⁶ and may include criminal records checks through local law enforcement agencies.⁷
- [Level 2](#) screening includes, at a minimum, fingerprinting for statewide criminal history records checks through DLE and national criminal history checks through the Federal Bureau of Investigation (FBI), and may include local criminal records checks through local law enforcement agencies, as well as searches of sexual predator and sexual offender registries of any state in which the prospective employee lived during the preceding five years.⁸

Disqualifying Offenses

Individuals subject to background screening are disqualified from certain employment and licensure if they have been arrested for and are awaiting final disposition of, been found guilty of regardless of adjudication, entered a plea of no contest or guilty to, or been adjudicated delinquent and the record has not been sealed or expunged for, any of the following offenses, or similar offenses in another jurisdiction:⁹

- Failure to report child abuse, abandonment, or neglect.
- Sexual misconduct with certain developmentally disabled clients and failing to report such sexual misconduct.
- Sexual misconduct with certain mental health patients and failing to report such sexual misconduct.
- Fraud, if the offense was a felony.
- Adult abuse, neglect, or exploitation of aged persons or disabled adults.
- Murder.
- Manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.
- Vehicular homicide.
- Killing of an unborn child by injury to the mother.
- Assault, battery, and culpable negligence, if the offense was a felony.
- Assault, if the victim of the offense was a minor.
- Aggravated assault.
- Battery, if the victim of the offense was a minor.
- Aggravated battery.

⁵ An “employee” is any person required by law to be screened pursuant to this chapter, including, but not limited to, persons who are contractors, licensees, or volunteers. [S. 435.02, F.S.](#)

⁶ The Dru Sjodin National Sex Offender Public Website is a U.S. government website that links public state, territorial, and tribal sex offender registries in one national search site, www.nsopw.gov (last visited March 18, 2026).

⁷ Florida Department of Law Enforcement, *State of Florida Criminal History Records Check*, <http://www.fdle.state.fl.us/Criminal-History-Records/Florida-Checks.aspx> (last visited March 18, 2026).

⁸ [S. 435.04, F.S.](#)

⁹ [S. 435.04\(2\), F.S.](#)

- Battery on staff of a detention or commitment facility or on a juvenile probation officer.
- Kidnapping.
- False imprisonment.
- Luring or enticing a child.
- Taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.
- Carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.
- Human trafficking.
- Human smuggling.
- Exhibiting firearms or weapons within 1,000 feet of a school.
- Possessing an electric weapon or device, destructive device, or other weapon on school property.
- Sexual battery.
- Prohibited acts of persons in familial or custodial authority.
- Unlawful sexual activity with certain minors.
- Female genital mutilation.
- Prostitution.
- Lewd and lascivious behavior.
- Lewdness and indecent exposure.
- Arson.
- Burglary.
- Voyeurism, if the offense was a felony.
- Video voyeurism, if the offense was a felony.
- Theft, robbery, and related crimes, if the offense was a felony.
- Fraudulent sale of controlled substances, only if the offense was a felony.
- Abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- Lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.
- Exploitation of an elderly person or disabled adult, if the offense was a felony.
- Incest.
- Child abuse, aggravated child abuse, or neglect of a child.
- Contributing to the delinquency or dependency of a child.
- Negligent treatment of children.
- Sexual performance by a child.
- The unlawful sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances.
- Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
- Resisting arrest with violence.
- Depriving a law enforcement, correctional, or correctional probation officer of means of protection or communication.
- Aiding in an escape.
- Aiding in the escape of juvenile inmates in correctional institutions.
- Obscene literature.
- Poisoning food or water.
- The prohibition on the purchase or sale of human organs and tissue.
- Encouraging or recruiting another to join a criminal gang.
- Drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.
- Sexual misconduct with certain forensic clients failing to report such sexual misconduct.
- Inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.
- Escape.
- Harboring, concealing, or aiding an escaped prisoner.

- Introduction of contraband into a correctional facility.
- Sexual misconduct in juvenile justice programs.
- Contraband introduced into detention facilities.
- Attempts, solicitation, and conspiracy to commit any above offense.

Any history of a listed offense is considered disqualifying regardless of when the offense was committed.

Disqualification Exemptions

For individuals who are disqualified from employment or licensure due to their criminal history, current law includes an exemption process. To qualify for an exemption, the individual must demonstrate by clear and convincing evidence that he or she has been rehabilitated, will not present a danger, and should not be disqualified from employment.¹⁰ The agency head may grant the exemption from disqualification if all court ordered fees, fines, liens, applications, costs of prosecution, trusts, or restitution have been paid, and either:¹¹

- Two years have elapsed since the individual has completed or been lawfully released from confinement supervision, or nonmonetary condition imposed by a court for a disqualifying felony; or
- The individual has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by a court for a misdemeanor or an offense that was a felony at the time of commission but is now a misdemeanor.

An individual who receives an exemption may work despite the disqualifying offense in that person's past. However, an individual who is considered a sexual predator,¹² career offender,¹³ or a registered sexual offender¹⁴ is not eligible for exemption.¹⁵

Care Provider Background Screening Clearinghouse

The Care Provider Background Screening Clearinghouse (Clearinghouse) is a single statewide screening program, administered by the Agency for Health Care Administration (AHCA), in consultation with DLE, which allows results of criminal history checks of persons acting as covered care providers to be shared among specified agencies.¹⁶ The Clearinghouse allows for constant review of new criminal history information through the federal Rap Back Service,¹⁷ which continually matches fingerprints retained in the Clearinghouse against fingerprints received for new arrests that occur after the individual was originally screened.¹⁸ Once a person's screening record is in the Clearinghouse, that person may avoid the need for any future state screens and related fees for screenings, depending on the screening agencies or organizations.¹⁹

¹⁰ [S. 435.07, F.S.](#)

¹¹ *Id.*

¹² [S. 775.21, F.S.](#)

¹³ [S. 775.261, F.S.](#)

¹⁴ [S. 943.0435, F.S.](#)

¹⁵ [S. 435.07\(4\)\(b\), F.S.](#)

¹⁶ [S. 435.12, F.S.](#)

¹⁷ The Rap Back Service is managed by the FBI's Criminal Justice Information Services Division. *See* Federal Bureau of Investigation, Privacy Impact Assessment for the Next Generation Identification (NGI) Rap Back Service, available at <https://www.fbi.gov/file-repository/pia-ngi-rap-back-service.pdf/view> (last visited March 18, 2026).

¹⁸ [S. 435.12\(2\), F.S.](#)

¹⁹ Agency for Health Care Administration, *Clearinghouse Renewals*, available at https://ahca.myflorida.com/MCHQ/Central_Services/Background_Screening/Renewals.shtml (last visited March 18, 2026). Fingerprints are retained for five years. Employers have an option to renew screenings at the end of the five-year period through a "Clearinghouse Renewal" process which allows employee's fingerprints to be retained without being re-fingerprinted.

Prior to initiating a new background screening in the Clearinghouse, specified agencies and qualified entities can search the Clearinghouse for an applicant's screening results. If an applicant has been screened by another provider and entered into the Clearinghouse, the specified agency or qualified entity may request an [agency review](#), which allows the specified agency or qualified entity to view the applicant's screening results. Agency reviews are free for the employer and the applicant and does not require the applicant to visit a Livescan location to submit new fingerprints.²⁰

Specified Agencies

The Clearinghouse is authorized to share background screening results with specified agencies that are conducting state and national criminal history background screening on persons who work with children or the elderly or disabled. The specified agencies include:

- AHCA;
- Department of Health (DOH);
- Department of Children and Families (DCF);
- Department of Elderly Affairs (DOEA);
- Department of Juvenile Justice (DJJ);
- Agency for Persons with Disabilities (APD);
- Department of Education (DOE), and related entities including district units, special district units, the Florida School for the Deaf and Blind, the Florida Virtual School, virtual instruction programs, charter schools, hope operators, private schools participating in certain scholarship programs, and alternative schools;
- Regional workforce development boards; and
- Local licensing agencies responsible for licensing child care providers.²¹

Qualified Entities

The Clearinghouse is also authorized to share results of criminal history checks with other entities participating in the Clearinghouse, referred to as qualified entities.²² Qualified entities include nongovernment businesses or organizations that provide care or care placement services for children or vulnerable adults.²³ Qualified entities participating in the Clearinghouse must register and maintain the employment or affiliation status of all persons included in the Clearinghouse.²⁴

A qualified entity conducting background criminal history checks must register with DLE before submitting a request for screening. As a part of the registration, the qualified entity must agree to comply with state and federal law. A qualified entity must also submit a request for screening an employee, volunteer or person applying to be an employee or volunteer by submitting fingerprints, or the request may be submitted electronically. Each such request must be voluntary and conform to the requirements established in the National Child Protection Act of 1993, as amended. The qualified entity must maintain a signed waiver allowing the release of the state and national criminal history record information to the qualified entity. DLE must periodically audit qualified entities to ensure compliance with state and federal law.²⁵

²⁰ Care Provider Background Screening Clearinghouse, *Florida Clearinghouse Results Website Instruction Guide*, [file:///C:/Users/Clenord.Judeline/Downloads/Clearinghouse User Guide 2025%20\(3\).pdf](file:///C:/Users/Clenord.Judeline/Downloads/Clearinghouse%20User%20Guide%20(3).pdf) (last visited March 30, 2026).

²¹ [S. 435.02, F.S.](#)

²² [S. 435.12\(1\), F.S.](#)

²³ [S. 943.0542\(1\), F.S.](#)

²⁴ [S. 435.12\(2\), F.S.](#)

²⁵ [S. 943.0542, F.S.](#) This section includes are other operational requirements that qualified entities must meet to use the Clearinghouse.

Any current or prospective employee or volunteer who is subject to a request for screening must indicate to the qualified entity submitting the request the name and address of each qualified entity that has submitted a previous request for screening regarding that employee or volunteer.²⁶

Criminal History Records

A criminal history record includes any nonjudicial record maintained by a criminal justice agency²⁷ that contains criminal history information.²⁸ Criminal history information is information collected by criminal justice agencies consisting of identifiable descriptions of individuals and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and criminal dispositions.²⁹

Court-Ordered Sealing

A court may order a criminal history record to be sealed, rendering it confidential and exempt from Florida's public record laws.³⁰ The following persons and entities may access a sealed criminal history record:

- The subject of the record;
- His or her attorney;
- Criminal justice agencies for criminal justice purposes;
- Judges in the state courts system for assisting in their case-related decision-making responsibilities; and
- Certain enumerated entities³¹ for licensing access authorization and employment purposes.³²

If a criminal history record is sealed, the subject of the record may lawfully deny or fail to acknowledge the arrests covered by the sealed record, with exceptions for certain state employment positions, seeking appointment as a guardian, professional licensing purposes, purchasing a firearm, applying for a concealed weapons permit, seeking expunction, or if the subject of the record is a defendant in a criminal prosecution.³³

To obtain a court-ordered sealing, a person must first apply to DLE for a certificate of eligibility, which DLE must issue to a person who:

- Has submitted a certified copy of the disposition of the charge he or she seeks to seal;
- Is not seeking to seal a criminal history record relating to an ineligible offense;³⁴
- Has never, prior to filing the application for a certificate of eligibility, been either:
 - Adjudicated guilty in this state of any criminal offense; or
 - Adjudicated delinquent in this state for committing any felony or adjudicated delinquent of certain enumerated misdemeanors³⁵ as a juvenile, unless such adjudication has been expunged pursuant to [s. 943.0515, F.S.](#)³⁶

²⁶ *Id.*

²⁷ Criminal justice agencies include the court, DLE, DJJ, components of DCF, components of the Department of Financial Services, and other governmental agencies that administrate criminal justice. [S. 943.045\(11\), F.S.](#)

²⁸ [S. 943.045\(6\), F.S.](#)

²⁹ [S. 943.045\(5\), F.S.](#)

³⁰ [S. 943.059\(6\)\(a\), F.S.](#); See [s. 119.07\(1\), F.S.](#) and [Art. I, s. 24\(a\), FLA. CONST.](#), for public record requirements.

³¹ Enumerated entities include criminal justice agencies, The Florida Bar, DCF, the Division of Vocational Rehabilitation within DOE, AHCA, APD, DOH, DOEA, DJJ, DOE, a district school board, a university laboratory school, the Florida School for the Deaf and the Blind, the Florida Virtual school, a virtual instruction program, a charter school, a private or parochial school, a local governmental entity that licenses child care facilities, the Division of Insurance Agent and Agency Services within the Department of Financial Services, and the Bureau of License Issuance of the Division of Licensing within the Department of Agriculture and Consumer Services.

³² [S. 943.059\(6\)\(a\), F.S.](#)

³³ [S. 943.059\(6\)\(b\), F.S.](#)

³⁴ [S. 943.0584, F.S.](#), provides a list of offenses for which a criminal history record is not eligible for court-ordered sealing.

- Has not been adjudicated guilty or delinquent for committing any of the acts stemming from the arrest or alleged criminal activity to which the petition to seal pertains;
- Has never secured a prior sealing or expunction of a criminal history record;
- Is no longer under court supervision related to the disposition of the arrest or alleged criminal activity to which the petition to seal pertains; and
- Remits a \$75 processing fee to DLE, unless such fee is waived.³⁷

Upon receiving a certificate of eligibility from DLE, a person may petition the court to seal the record.³⁸ A complete petition contains both a valid certificate of eligibility, issued within the previous 12 months, and a sworn statement from the petitioner attesting to his or her eligibility.³⁹ It is solely within the court's discretion to grant or deny a petition to seal a criminal history record.⁴⁰

Court-Ordered Expunction

An adult or juvenile may have his or her criminal history record expunged under certain circumstances.⁴¹ When a record is expunged, the criminal justice agencies possessing such record must physically destroy or obliterate it.⁴² DLE maintains a copy of the record to evaluate subsequent requests for sealing or expunction, and to recreate the record in the event a court vacates the order to expunge.⁴³

A court, in its sole discretion, may order a criminal justice agency to expunge a person's criminal history record if DLE issues the person a certificate of eligibility for expunction.⁴⁴ DLE must issue a certificate of eligibility for court-ordered expunction to a person meeting all criteria.⁴⁵ Generally, a person is eligible for expunction if:

- An indictment, information, or other charging document was not filed or issued in the case giving rise to the criminal history record.
- An indictment, information, or other charging document was filed or issued in the case giving rise to the criminal history record, but was dismissed or nolle prosequi by the state, was dismissed by the court, a judgment of acquittal was rendered, or a verdict of not guilty was rendered.
- The person is not seeking to expunge a criminal history record relating to a violation of certain enumerated offenses listed in [s. 943.0584, F.S.](#)⁴⁶
- The person has never, as of the date when the application to DLE for a certificate of eligibility is filed, been adjudicated guilty of a criminal offense.
- The person has never, as of the date when the application to DLE for a certificate of eligibility is filed, been adjudicated delinquent for committing any felony or certain enumerated misdemeanor offenses,⁴⁷ unless such adjudication of delinquency has been expunged.

³⁵ Ineligible misdemeanors include: assault; battery; assault on a law enforcement officer, a firefighter, or other specified officers; carrying a concealed weapon; open carrying of a weapon; unlawful possession or discharge of a weapon or firearm at a school-sponsored event or on school property; unlawful use of destructive devices or bombs; unlawful possession of a firearm by a minor; exposure of sexual organs; arson; petit theft; neglect of a child; and cruelty to animals. [S. 943.059\(1\)\(b\)1-13, F.S.](#)

³⁶ Relating to the retention of criminal history records of minors.

³⁷ [S. 943.059\(1\)-\(2\), F.S.](#)

³⁸ [S. 943.059\(3\), F.S.](#)

³⁹ [S. 943.059\(2\)-\(3\), F.S.](#)

⁴⁰ [S. 943.059\(4\)\(e\), F.S.](#)

⁴¹ [Ss. 943.0581, 943.0582, 943.0583, and 943.0585, F.S.](#)

⁴² [S. 943.045\(16\), F.S.](#)

⁴³ *Id.*

⁴⁴ [S. 943.0585\(1\), F.S.](#)

⁴⁵ [S. 943.0585\(2\), F.S.](#)

⁴⁶ Some offenses ineligible for expunction that are enumerated in [s. 943.0584, F.S.](#), include murder, sexual battery, aggravated battery, domestic battery, lewd or lascivious offenses, burglary, robbery, and drug trafficking.

- The person has not been adjudicated guilty of, or adjudicated delinquent for committing, any of the acts stemming from the arrest or alleged criminal activity to which the current petition for expunction pertains.
- The person is no longer under court supervision for the alleged criminal activity to which the current petition for expunction pertains.
- The person has never had a record sealed or expunged by court order previously, unless;⁴⁸
 - Expunction is sought for a criminal history record previously sealed for at least 10 years;⁴⁹ and
 - The record was sealed because adjudication was withheld, or because all charges related to the arrest or alleged criminal activity to which the petition for expunction pertains were not dismissed before trial, and the trial did not result in an adjudication of guilt.

After a person files a petition to expunge a criminal history record with the court, a copy of the petition is provided to the state attorney and the arresting law enforcement agency.⁵⁰ The state attorney and the arresting law enforcement agency may file with the court a response to the petition to expunge objecting to the court granting such expunction.⁵¹

If the court grants a petition to expunge a person's criminal history record, the person may lawfully deny or fail to acknowledge the arrests covered by the expunged record, subject to specified exceptions.⁵² Such exceptions include when the person is a defendant in a criminal prosecution; when the person is seeking an additional sealing or expunction; when the person is seeking employment with a criminal justice agency, admission to the Florida Bar, or employment or licensure by specified agencies for certain sensitive employment positions; or when a person applies for appointment as a guardian under [s. 744.3125, F.S.](#)

Required Disclosure of Sealed or Expunged Criminal History Records

Information relating to the existence of a sealed or expunged criminal history record provided in accordance with those sections is confidential and exempt from [s. 119.07\(1\), F.S.](#), and s. 24(a), Art. I of the State Constitution.⁵³

However, DLE must disclose the sealed criminal history record or the existence of an expunged criminal history record to certain entities for respective licensing, access authorization, and employment purposes. An employee of such entity may not disclose information relating to the existence of a sealed or expunged criminal history record of a person seeking employment, access authorization, or licensure with such entity or contractor, except to the person to whom the criminal history record relates or to persons having direct responsibility for employment, access authorization, or licensure decisions. A person who unlawfully discloses such information commits a first degree misdemeanor.⁵⁴

Currently, DLE may not disclose sealed or expunged records to qualified entities.

Youth Athletic Team Coaches

An [independent sanctioning authority](#) (ISA) is a private, nongovernmental entity that organizes, operates, or

⁴⁷ Examples of disqualifying misdemeanor offenses include assault, battery, carrying a concealed weapon, petit theft, and exposure of sexual organs. [S. 943.0585\(1\)\(d\), F.S.](#)

⁴⁸ [S. 943.0585\(1\)\(g\), F.S.](#)

⁴⁹ The requirement for a record to have been sealed for 10 years does not apply if a plea was not entered or all charges related to the arrest or alleged criminal activity to which the petition for expunction pertains were dismissed before trial or a judgment of acquittal was rendered by a judge or a verdict of not guilty was rendered by a jury. [S. 943.0585\(1\)\(h\), F.S.](#)

⁵⁰ [S. 943.0585\(5\)\(a\), F.S.](#)

⁵¹ *Id.*

⁵² [S. 943.0585\(6\)\(b\), F.S.](#)

⁵³ [Ss. 943.059\(6\)\(d\) and 943.0585\(6\)\(d\), F.S.](#)

⁵⁴ *Id.* A first degree misdemeanor is punishable by up to one year in county jail and a \$1,000 fine. [Ss. 775.082 and 775.083, F.S.](#)

coordinates a youth athletic team that includes at least one minor and is not affiliated with a private school.⁵⁵ An athletic coach is a person authorized by the ISA to work as a coach, assistant coach, manager, or referee, for compensation or as a volunteer, for a youth athletic team and has direct contact with one or more minors on the youth athletic team.⁵⁶

Beginning July 1, 2026, ISAs are required to conduct a Level 2 background screening for each current and prospective athletic coach.⁵⁷ An ISA may not authorize a person to act as a coach unless he or she has undergone a Level 2 background screening and is not disqualified by a criminal history.⁵⁸ An ISA may grant a disqualified person an exemption from disqualification and allow the person to act as an athletic coach.⁵⁹

Previously, the ISAs were directed to conduct a Level 2 background screening, instead of a Level 1 background screening, by July 1, 2024.⁶⁰ In 2024, the Legislature extended the deadline for ISAs to conduct the Level 2 background screening from July 1, 2024, to January 1, 2025.⁶¹ The Legislature extended the deadline again in 2025 from January 1, 2025, to July 1, 2026.⁶² Under the extension, ISAs are allowed to continue operations without being required to conduct Level 2 background screenings of each current and prospective athletic coach, assistant coach, and referee as a condition of employment, until July 1, 2026.

Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017

The United States Olympic and Paralympic Committee (USOPC) oversees the United States' teams for the Olympic, Paralympic, Youth Olympic, Pan American and Parapan American Games (the Olympic games). The USOPC certifies and collaborates with organizations engaged in the administration of one or more sports for the Olympic games. The organizations that the USOPC certifies become National Governing Bodies (NGBs) for their sport and are responsible for training, competition, and development of the sports. Other organizations associated with the USOPC include member organizations⁶³ and affiliate organizations.⁶⁴ The USOPC list the organizations associated with it on its website. Some ISAs may be part of the USOPC through the NGBs, member organizations, or affiliate organizations. The USOPC sets standards for its organizations to prevent abuse and misconduct, including

⁵⁵ A private school is a nonpublic school defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of [s. 1003.01\(16\), F.S.](#), or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of ch. 1005, F.S. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school. This definition does not include home education programs conducted in accordance with [s. 1002.41, F.S.](#) [S. 1002.01\(3\), F.S.](#)

⁵⁶ [S. 943.0438\(1\), F.S.](#)

⁵⁷ [S. 943.0438\(2\), F.S.](#) Before January 1, 2025, an ISA was required to conduct a Level 1 background screening including a search of the applicant or coach's name or other identifying information against state and federal registries of sexual predators and sexual offenders for each current and prospective athletic coach.

⁵⁸ [S. 943.0438, F.S.](#)

⁵⁹ *Id.*

⁶⁰ Ch. 2023-220, Laws of Fla.

⁶¹ Ch. 2024-243, Laws of Fla.

⁶² Ch. 2025-97, Laws of Fla.

⁶³ Member organizations are organization engaged in the administration of one or more sport on the program for the Olympic games; organizations that administer other sports that are widely practiced in the United States; and organizations that are engaged in efforts to promote the participation in, or preparation for, amateur athletic competition.

⁶⁴ Affiliate organizations are organizations that qualify under the following categories: community based multisport, education based multisport, armed forces, recognized sport, and other. These organizations take active part in the administration of one or more sports or competitions, administer other sports that are widely practiced in the United States or are organizations that are engaged in efforts to promote the participation in preparation for, amateur athletic competition.

background screening requirements.⁶⁵ In addition, the USOPC funds the United States Center for SafeSport (Center); in partnership with the Department of Justice, foundations, and individual donors; to respond to and prevent emotional, physical, and sexual abuse within the USOPC.⁶⁶

In 2018, Congress passed the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (Safe Sport Authorization Act), designating the Center as the national safe sport organization.⁶⁷ The Safe Sport Authorization Act tasked the Center with developing and enforcing policies, procedures, and training to prevent abuse and misconduct in USOPC sports.⁶⁸ As a result, the Center developed the Minor Athlete Abuse Prevention Policies (MAAPP) and the SafeSport Code. MAAPP limits one-on-one interactions between adults and minors and sets standards to prevent abuse and misconduct.⁶⁹ The SafeSport Code prohibits abuse and sets the process for responding to, investigating, and resolving reports of abuse.⁷⁰ The Center has a centralized disciplinary database where it publishes information on individuals who are subject to temporary restrictions pending investigation, or who are subject to sanctions after an investigation found them in violation of the SafeSport Code.⁷¹ Users can search the database by name, city, state, and sport affiliation.⁷²

The USOPC and the Center do not appear to publish information on compliant or noncompliant ISAs.

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2023	CS/SB 676 - Level 2 Background Screenings	Trabulsy/ <i>Grall</i>	Became effective July 1, 2024.
2024	CS/CS/HB 975 - Background Screenings and Certifications	Trabulsy, Bell, Campbell/ <i>Rouson</i>	Became effective July 1, 2024.
2025	HB 431 - Background Screening of Athletic Coaches	Trabulsy, Hunschofsky/ <i>Grall</i>	Became effective July 1, 2025.

⁶⁵ United States Olympic & Paralympic Committee, *Member Organizations*, <https://www.usopc.org/NGB-IMS> (last visited March 18, 2026).

⁶⁶ U.S. Center for SafeSport, *About Us*, <https://maapp.uscenterforsafesport.org/about-us/> (last visited March 24, 2026).

⁶⁷ 34 U.S.C. 20341.

⁶⁸ *Id.*

⁶⁹ U.S. Center for SafeSport, *Minor Athlete Abuse Prevention Policies*, <https://maapp.uscenterforsafesport.org/> (last visited March 18, 2026).

⁷⁰ U.S. Center for SafeSport, *SafeSport Code*, <https://uscenterforsafesport.org/response-and-resolution/safesport-code/> (last visited March 18, 2026).

⁷¹ U.S. Center for SafeSport, *Centralized Disciplinary Database*, https://cdd.uscenterforsafesport.org/? gl=1*haas1n* gcl_au*MTM1MTU1MjMzMzMC4xNzcwNjU5MTE3* ga*MjAwNDE2NTk00S4xNzcwNjU5MTE3* ga_MBN6TFWKW0*czE3NzQ2MjUyODEkbzckZzAkdDE3NzQ2MjUyODEkajYwJGwwJGgw& ga=2.265069322.448163520.1774625282-2004165949.1770659117 (last visited March 27, 2026).

⁷² *Id.*