

1 A bill to be entitled
2 An act relating to background screenings of athletic
3 coaches; amending s. 943.0438, F.S.; providing that an
4 independent sanctioning authority is deemed to be a
5 qualified entity for the purpose of participating in
6 the Care Provider Background Screening Clearinghouse;
7 authorizing a person who has not undergone certain
8 background screening to act as an athletic coach if he
9 or she is under the direct supervision of an athletic
10 coach who meets certain background screening
11 requirements; providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 **Section 1. Subsections (2), (3), and (4) of section**
16 **943.0438, Florida Statutes, are renumbered as subsections (3),**
17 **(4), and (5), respectively, present subsection (3) is amended,**
18 **and a new subsection (2) is added to that section, to read:**

19 943.0438 Athletic coaches for independent sanctioning
20 authorities.—

21 (2) (a) An independent sanctioning authority is deemed to
22 be a qualified entity for purposes of participating in the Care
23 Provider Background Screening Clearinghouse under s. 435.12.

24 (b) Notwithstanding paragraphs (3) (a) and (b), a person
25 who has not undergone background screening pursuant to this

26 section may act as an athletic coach if he or she is under the
27 direct supervision of an athletic coach who meets the background
28 screening requirements of this section.

29 (4)~~(3)~~ In a civil action for the death of, or injury or
30 damage to, a third person caused by the intentional tort of an
31 athletic coach that relates to alleged sexual misconduct by the
32 athletic coach, there is a rebuttable presumption that the
33 independent sanctioning authority was not negligent in
34 authorizing the athletic coach if the authority complied with
35 the background screening and disqualification requirements of
36 subsection (3) ~~(2)~~ prior to such authorization.

37 **Section 2.** This act shall take effect July 1, 2026.