



26           **Section 1. Paragraphs (c) through (g) of subsection (2) of**  
 27 **section 943.0438, Florida Statutes, are redesignated as**  
 28 **paragraphs (b) through (f), respectively, and paragraph (a) of**  
 29 **subsection (1) and paragraph (a) and present paragraph (b) of**  
 30 **subsection (2) of that section are amended, to read:**

31           943.0438 Athletic coaches for independent sanctioning  
 32 authorities.—

33           (1) As used in this section, the term:

34           (a) "Athletic coach" means a person 18 years of age or  
 35 older who:

36           1. Is authorized by an independent sanctioning authority  
 37 to work as a coach, assistant coach, manager, or referee,  
 38 whether for compensation or as a volunteer coach, assistant  
 39 coach, manager, or referee, for a youth athletic team based in  
 40 this state; and

41           2. Has direct contact with one or more minors on the youth  
 42 athletic team.

43           (2) An independent sanctioning authority shall:

44           (a) Effective July 1, 2026:7

45           1. Be considered a qualified entity for purposes of  
 46 participating in the Care Provider Background Screening  
 47 Clearinghouse under s. 435.12.

48           2. Conduct a level 2 background screening under s. 435.04  
 49 of each current and prospective athletic coach. The authority  
 50 may not delegate this responsibility to an individual team and

51 may not authorize any person to act as an athletic coach unless  
52 a level 2 background screening is conducted and does not result  
53 in disqualification under subparagraph 3 ~~paragraph (b)~~.

54 ~~(b)1. Before January 1, 2026, or a later date as~~  
55 ~~determined by the Agency for Health Care Administration for the~~  
56 ~~participation of qualified entities in the Care Provider~~  
57 ~~Background Screening Clearinghouse under s. 435.12, disqualify~~  
58 ~~any person from acting as an athletic coach as provided in s.~~  
59 ~~435.04. The authority may allow a person disqualified under this~~  
60 ~~subparagraph to act as an athletic coach if it determines that~~  
61 ~~the person meets the requirements for an exemption from~~  
62 ~~disqualification under s. 435.07.~~

63 ~~3.2. On or after January 1, 2026, or a later date as~~  
64 ~~determined by the Agency for Health Care Administration, Not~~  
65 allow any person to act as an athletic coach if he or she does  
66 not pass the background screening qualifications in s. 435.04.  
67 The authority may allow a person disqualified under this  
68 subparagraph to act as an athletic coach if the person has  
69 successfully completed the exemption from the disqualification  
70 process under s. 435.07.

71 **Section 2. Paragraph (a) of subsection (2) of section**  
72 **943.0542, Florida Statutes, is amended to read:**

73 943.0542 Access to criminal history information provided  
74 by the department to qualified entities.—

75 (2) (a) A qualified entity conducting background criminal

76 history checks under this section must:

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

93 2. Before January 1, 2026, or a later date as determined  
94 by the Agency for Health Care Administration, submit to the  
95 department, and effective January 1, 2026, or a later date as  
96 determined by the Agency for Health Care Administration, submit  
97 to the agency a request for screening an employee or volunteer  
98 or person applying to be an employee or volunteer by submitting  
99 fingerprints, or the request may be submitted electronically.  
100 The qualified entity must maintain a signed waiver allowing the

101 release of the state and national criminal history record  
 102 information to the qualified entity.

103 **Section 3. Paragraphs (b) and (d) of subsection (6) of**  
 104 **section 943.0585, Florida Statutes, are amended to read:**

105 943.0585 Court-ordered expunction of criminal history  
 106 records.—

107 (6) EFFECT OF EXPUNCTION ORDER.—

108 (b) The person who is the subject of a criminal history  
 109 record that is expunged under this section or under other  
 110 provisions of law, including former ss. 893.14, 901.33, and  
 111 943.058, may lawfully deny or fail to acknowledge the arrests  
 112 covered by the expunged record, except when the subject of the  
 113 record:

- 114 1. Is a candidate for employment with a criminal justice  
 115 agency;
- 116 2. Is a defendant in a criminal prosecution;
- 117 3. Concurrently or subsequently petitions for relief under  
 118 this section, s. 943.0583, or s. 943.059;
- 119 4. Is a candidate for admission to The Florida Bar;
- 120 5. Is seeking to be employed or licensed by or to contract  
 121 with the Department of Children and Families, the Division of  
 122 Vocational Rehabilitation within the Department of Education,  
 123 the Agency for Health Care Administration, the Agency for  
 124 Persons with Disabilities, the Department of Health, the  
 125 Department of Elderly Affairs, or the Department of Juvenile

126 Justice or to be employed or used by such contractor or licensee  
 127 in a sensitive position having direct contact with children, the  
 128 disabled, or the elderly;

129 6.a. Is seeking to be employed or licensed by, or contract  
 130 with, the Department of Education, any district unit under s.  
 131 1001.30, any special district unit under s. 1011.24, the Florida  
 132 School for the Deaf and the Blind under s. 1002.36, the Florida  
 133 Virtual School under s. 1002.37, any virtual instruction program  
 134 under s. 1002.45, any charter school under s. 1002.33, any hope  
 135 operator under s. 1002.333, any alternative school under s.  
 136 1008.341, any private or parochial school, or any local  
 137 governmental entity that licenses child care facilities;

138 b. Is seeking to be employed or used by a contractor or  
 139 licensee under sub-subparagraph a.; or

140 c. Is a person screened under s. 1012.467;

141 7. Is seeking to be licensed by the Division of Insurance  
 142 Agent and Agency Services within the Department of Financial  
 143 Services; ~~or~~

144 8. Is seeking to be appointed as a guardian pursuant to s.  
 145 744.3125; or

146 9. Is a person screened through the Care Provider  
 147 Background Screening Clearinghouse by a qualified entity  
 148 pursuant to s. 435.12.

149 (d) Information relating to the existence of an expunged  
 150 criminal history record which is provided in accordance with

151 paragraph (a) is confidential and exempt from s. 119.07(1) and  
 152 s. 24(a), Art. I of the State Constitution, except that the  
 153 department shall disclose the existence of a criminal history  
 154 record ordered expunged to the entities set forth in  
 155 subparagraphs (b)1. and 4.-9. ~~4.-8.~~ for their respective  
 156 licensing, access authorization, and employment purposes and to  
 157 criminal justice agencies for their respective criminal justice  
 158 purposes. It is unlawful for any employee of an entity set forth  
 159 in subparagraph (b)1., subparagraph (b)4., subparagraph (b)5.,  
 160 subparagraph (b)6., subparagraph (b)7., ~~or~~ subparagraph (b)8.,  
 161 or subparagraph (b)9. to disclose information relating to the  
 162 existence of an expunged criminal history record of a person  
 163 seeking employment, access authorization, or licensure with such  
 164 entity or contractor, except to the person to whom the criminal  
 165 history record relates or to persons having direct  
 166 responsibility for employment, access authorization, or  
 167 licensure decisions. A person who violates this paragraph  
 168 commits a misdemeanor of the first degree, punishable as  
 169 provided in s. 775.082 or s. 775.083.

170 **Section 4. Paragraphs (b) and (d) of subsection (6) of**  
 171 **section 943.059, Florida Statutes, are amended to read:**

172 943.059 Court-ordered sealing of criminal history  
 173 records.—

174 (6) EFFECT OF ORDER.—

175 (b) The subject of the criminal history record sealed

176 | under this section or under other provisions of law, including  
 177 | former ss. 893.14, 901.33, and 943.058, may lawfully deny or  
 178 | fail to acknowledge the arrests covered by the sealed record,  
 179 | except when the subject of the record:

180 |       1. Is a candidate for employment with a criminal justice  
 181 | agency;

182 |       2. Is a defendant in a criminal prosecution;

183 |       3. Concurrently or subsequently petitions for relief under  
 184 | this section, s. 943.0583, or s. 943.0585;

185 |       4. Is a candidate for admission to The Florida Bar;

186 |       5. Is seeking to be employed or licensed by or to contract  
 187 | with the Department of Children and Families, the Division of  
 188 | Vocational Rehabilitation within the Department of Education,  
 189 | the Agency for Health Care Administration, the Agency for  
 190 | Persons with Disabilities, the Department of Health, the  
 191 | Department of Elderly Affairs, or the Department of Juvenile  
 192 | Justice or to be employed or used by such contractor or licensee  
 193 | in a sensitive position having direct contact with children, the  
 194 | disabled, or the elderly;

195 |       6.a. Is seeking to be employed or licensed by, or contract  
 196 | with, the Department of Education, a district unit under s.  
 197 | 1001.30, a special district unit under s. 1011.24, the Florida  
 198 | School for the Deaf and the Blind under s. 1002.36, the Florida  
 199 | Virtual School under s. 1002.37, a virtual instruction program  
 200 | under s. 1002.45, a charter school under s. 1002.33, a hope

201 operator under s. 1002.333, an alternative school under s.  
 202 1008.341, a private or parochial school, or a local governmental  
 203 entity that licenses child care facilities;

204 b. Is seeking to be employed or used by a contractor or  
 205 licensee under sub-subparagraph a.; or

206 c. Is a person screened under s. 1012.467;

207 7. Is attempting to purchase a firearm from a licensed  
 208 importer, licensed manufacturer, or licensed dealer and is  
 209 subject to a criminal history check under state or federal law;

210 8. Is seeking to be licensed by the Division of Insurance  
 211 Agent and Agency Services within the Department of Financial  
 212 Services;

213 9. Is seeking to be appointed as a guardian pursuant to s.  
 214 744.3125; ~~or~~

215 10. Is seeking to be licensed by the Bureau of License  
 216 Issuance of the Division of Licensing within the Department of  
 217 Agriculture and Consumer Services to carry a concealed weapon or  
 218 concealed firearm. This subparagraph applies only in the  
 219 determination of an applicant's eligibility under s. 790.06; or

220 11. Is a person screened through the Care Provider  
 221 Background Screening Clearinghouse by a qualified entity  
 222 pursuant to s. 435.12.

223 (d) Information relating to the existence of a sealed  
 224 criminal history record provided in accordance with paragraph  
 225 (b) is confidential and exempt from s. 119.07(1) and s. 24(a),

226 Art. I of the State Constitution, except that the department  
227 shall disclose the sealed criminal history record to the  
228 entities set forth in subparagraphs (b)1., 4.-6., and 8.-11. ~~8.-~~  
229 ~~10.~~ for their respective licensing, access authorization, and  
230 employment purposes. An employee of an entity set forth in  
231 subparagraph (b)1., subparagraph (b)4., subparagraph (b)5.,  
232 subparagraph (b)6., subparagraph (b)8., subparagraph (b)9., ~~or~~  
233 subparagraph (b)10., or subparagraph (b)11. may not disclose  
234 information relating to the existence of a sealed criminal  
235 history record of a person seeking employment, access  
236 authorization, or licensure with such entity or contractor,  
237 except to the person to whom the criminal history record relates  
238 or to persons having direct responsibility for employment,  
239 access authorization, or licensure decisions. A person who  
240 violates this paragraph commits a misdemeanor of the first  
241 degree, punishable as provided in s. 775.082 or s. 775.083.

242 **Section 5. For the purpose of incorporating the amendments**  
243 **made by this act to sections 943.0585 and 943.059, Florida**  
244 **Statutes, in references thereto, paragraph (c) of subsection (3)**  
245 **of section 943.053, Florida Statutes, is reenacted to read:**

246 943.053 Dissemination of criminal justice information;  
247 fees.—

248 (3)

249 (c)1. Criminal history information relating to juveniles,  
250 including criminal history information consisting in whole or in

251 part of information that is confidential and exempt under  
252 paragraph (b), shall be available to:

253 a. A criminal justice agency for criminal justice purposes  
254 on a priority basis and free of charge;

255 b. The person to whom the record relates, or his or her  
256 attorney;

257 c. The parent, guardian, or legal custodian of the person  
258 to whom the record relates, provided such person has not reached  
259 the age of majority, been emancipated by a court, or been  
260 legally married; or

261 d. An agency or entity specified in s. 943.0585(6) or s.  
262 943.059(6), for the purposes specified therein, and to any  
263 person within such agency or entity who has direct  
264 responsibility for employment, access authorization, or  
265 licensure decisions.

266 2. After providing the program with all known personal  
267 identifying information, the criminal history information  
268 relating to a juvenile which is not confidential and exempt  
269 under this subsection may be released to the private sector and  
270 noncriminal justice agencies not specified in s. 943.0585(6) or  
271 s. 943.059(6) in the same manner as provided in paragraph (a).  
272 Criminal history information relating to a juvenile which is not  
273 confidential and exempt under this subsection is the entire  
274 criminal history information relating to a juvenile who  
275 satisfies any of the criteria listed in subparagraphs (b)1.-4.,

276 | except for any portion of such juvenile's criminal history  
 277 | record which has been expunged or sealed under any law  
 278 | applicable to such record.

279 |         3. All criminal history information relating to juveniles,  
 280 | other than that provided to criminal justice agencies for  
 281 | criminal justice purposes, shall be provided upon tender of fees  
 282 | as established in this subsection and in the manner prescribed  
 283 | by rule of the Department of Law Enforcement.

284 |         **Section 6. For the purpose of incorporating the amendments**  
 285 | **made by this act to section 943.0585, Florida Statutes, in a**  
 286 | **reference thereto, subsection (4) of section 943.0578, Florida**  
 287 | **Statutes, is reenacted to read:**

288 |             943.0578 Lawful self-defense expunction.—

289 |             (4) Section 943.0585(5) and (6) apply to an expunction  
 290 | ordered under this section.

291 |         **Section 7. For the purpose of incorporating the amendment**  
 292 | **made by this act to section 943.0585, Florida Statutes, in a**  
 293 | **reference thereto, paragraph (b) of subsection (2) of section**  
 294 | **943.0582, Florida Statutes, is reenacted to read:**

295 |             943.0582 Diversion program expunction.—

296 |             (2) As used in this section, the term:

297 |             (b) "Expunction" has the same meaning ascribed in and  
 298 | effect as s. 943.0585, except that:

299 |             1. Section 943.0585(6) (b) does not apply, except that the  
 300 | criminal history record of a person whose record is expunged

301 pursuant to this section shall be made available only to  
302 criminal justice agencies for the purpose of:

- 303 a. Determining eligibility for diversion programs;
- 304 b. A criminal investigation; or
- 305 c. Making a prosecutorial decision under s. 985.15.

306 2. Records maintained by local criminal justice agencies  
307 in the county in which the arrest occurred that are eligible for  
308 expunction pursuant to this section shall be sealed as the term  
309 is used in s. 943.059.

310 **Section 8.** This act shall take effect July 1, 2026.