



404156

LEGISLATIVE ACTION

Senate

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House

The Committee on Children, Families, and Elder Affairs (Storms)
recommended the following:

Senate Amendment

Delete lines 1757 - 1778
and insert:

(4) There is no unemployment compensation or other monetary
liability on the part of, and no cause of action for damages
arising against, an employer that, upon notice of a conviction
or arrest for a disqualifying offense listed under this chapter,
terminates the person against whom the report was issued or who
was arrested, regardless of whether or not that person has filed
for an exemption pursuant to this chapter.

Section 37. Section 435.07, Florida Statutes, is amended to



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read:

435.07 Exemptions from disqualification.—Unless otherwise provided by law, the provisions of this section shall apply to exemptions from disqualification for disqualifying offenses revealed pursuant to background screenings required by law to be conducted pursuant to this chapter, regardless of whether those disqualifying offenses are listed in this chapter or are codified in other statutes.

(1) The head of the appropriate ~~licensing~~ agency may grant to any employee otherwise disqualified from employment an exemption from disqualification for:

(a) Felonies for which at least 3 years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or sanction for the disqualifying felony ~~committed more than 3 years prior to the date of disqualification;~~

(b) Misdemeanors prohibited under any of the Florida Statutes cited in this chapter or under similar statutes of other jurisdictions for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or sanction;

(c) Offenses that were felonies when committed but are now misdemeanors and for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or sanction; or

(d) Findings of delinquency. For offenses that would be felonies if committed by an adult and the record has not been sealed or expunged, then the exemption may not be granted until at least 3 years have elapsed since the applicant for the



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exemption has completed or been lawfully released from
confinement, supervision, or sanction for the disqualifying
offense; ~~or~~

~~(e) Commissions of acts of domestic violence as defined in~~
~~s. 741.30.~~