

1                                   A bill to be entitled  
 2           An act relating to misdemeanor criminal history record  
 3           expunction; amending s. 943.0585, F.S.; authorizing a  
 4           person to lawfully deny or fail to acknowledge certain  
 5           expunged misdemeanor arrests when applying for  
 6           specified positions; providing an effective date.

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

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 10           Section 1. Paragraph (b) of subsection (6) of section  
 11           943.0585, Florida Statutes, is amended to read:

12           943.0585 Court-ordered expunction of criminal history  
 13           records.—

14           (6) EFFECT OF EXPUNCTION ORDER.—

15           (b) The person who is the subject of a criminal history  
 16           record that is expunged under this section or under other  
 17           provisions of law, including former ss. 893.14, 901.33, and  
 18           943.058, may lawfully deny or fail to acknowledge the arrests  
 19           covered by the expunged record, except when the subject of the  
 20           record:

21           1. Is a candidate for employment with a criminal justice  
 22           agency;

23           2. Is a defendant in a criminal prosecution;

24           3. Concurrently or subsequently petitions for relief under  
 25           this section, s. 943.0583, or s. 943.059;

- 26           4. Is a candidate for admission to The Florida Bar;
- 27           5. Is seeking to be employed or licensed by or to contract
- 28 with the Department of Children and Families, the Division of
- 29 Vocational Rehabilitation within the Department of Education,
- 30 the Agency for Health Care Administration, the Agency for
- 31 Persons with Disabilities, the Department of Health, the
- 32 Department of Elderly Affairs, or the Department of Juvenile
- 33 Justice or to be employed or used by such contractor or licensee
- 34 in a sensitive position having direct contact with children, the
- 35 disabled, or the elderly;
- 36           6. Is seeking to be employed or licensed by the Department
- 37 of Education, any district school board, any university
- 38 laboratory school, any charter school, any private or parochial
- 39 school, or any local governmental entity that licenses child
- 40 care facilities, except that an expunged misdemeanor violation
- 41 of chapter 812 may be lawfully denied or may fail to be
- 42 acknowledged;
- 43           7. Is seeking to be licensed by the Division of Insurance
- 44 Agent and Agency Services within the Department of Financial
- 45 Services; or
- 46           8. Is seeking to be appointed as a guardian pursuant to s.
- 47 744.3125.
- 48           Section 2. This act shall take effect July 1, 2022.