

hbd-032

Bill No. HB 2419

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Fasano offered the following:

**Amendment (with title amendment)**

On page 1, line 15,

insert:

Section 1. Section 112.18, Florida Statutes, is amended to read:

112.18 Firefighters and ~~state~~ law enforcement officers; special provisions relative to disability.--

(1) Any condition or impairment of health of any Florida state, municipal, county, port authority, special tax district, or fire control district firefighter or ~~state~~ law enforcement officer caused by tuberculosis, heart disease, or hypertension resulting in total or partial disability or death shall be presumed to have been accidental and to have been suffered in the line of duty unless the contrary be shown by competent evidence. However, any such firefighter or ~~state~~ law enforcement officer shall have successfully passed a physical examination upon entering into any such service as a firefighter or ~~state~~ law enforcement officer, which

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1 examination failed to reveal any evidence of any such  
 2 condition. Such presumption shall not apply to benefits  
 3 payable under or granted in a policy of life insurance or  
 4 disability insurance, unless the insurer and insured have  
 5 negotiated for such additional benefits to be included in the  
 6 policy contract. For purposes of this section, the term "law  
 7 enforcement officer" includes any Florida state or county law  
 8 enforcement officer, correctional officer, or correctional  
 9 probation officer, as those terms are respectively defined in  
 10 s. 943.10(1), (2), and (3).

11 (2) This section shall be construed to authorize the  
 12 above governmental entities to negotiate policy contracts for  
 13 life and disability insurance to include accidental death  
 14 benefits or double indemnity coverage which shall include the  
 15 presumption that any condition or impairment of health of any  
 16 firefighter or law enforcement officer caused by tuberculosis,  
 17 heart disease, or hypertension resulting in total or partial  
 18 disability or death was accidental and suffered in the line of  
 19 duty, unless the contrary be shown by competent evidence.

20  
 21  
 22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On page 1, lines 2 through 5,  
 25 remove from the title of the bill: all of said lines,

26  
 27 and insert in lieu thereof:

28 An act relating to insurance; amending s.  
 29 112.18, F.S.; defining "law enforcement  
 30 officer" for purposes of special provisions  
 31 relative to disability or death of firefighters

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and state law enforcement officers presumed to  
have been accidental and in the line of duty;  
revising construction of the act; amending s.  
440.38, F.S.; authorizing