

hbd-00

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

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

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11 Representative(s) Fasano offered the following:

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13 **Amendment (with title amendment)**

14 On page 6 between lines 4 and 5, of the bill

15

16 insert:

17 Section 4. Section 112.18, Florida Statutes, is  
18 amended to read:

19 112.18 Firefighters and ~~state~~ law enforcement  
20 officers; special provisions relative to disability.--

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

hbd-00

Bill No. HB 2441

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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.

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 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, line 19,

25  
 26 after the semicolon insert:

27 amending s. 112.18, F.S.; defining "law  
 28 enforcement officer" for purposes of special  
 29 provisions relative to disability or death of  
 30 firefighters and state law enforcement officers  
 31 presumed to have been accidental and in the

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line of duty; revising construction of the act;