

Bill No. CS for CS for SB 2224

Amendment No. Barcode 112926

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Posey moved the following amendment:

Senate Amendment (with title amendment)

On page 193, following line 31,

insert:

Section 72. Effective July 1, 2001, section 633.801, Florida Statutes, is created to read:

633.801 Short title.--Sections 633.801 through 633.825 may be cited as the "Florida Firefighter Occupational Safety and Health Act."

Section 73. Effective July 1, 2001, section 633.802, Florida Statutes, is created to read:

633.802 Definitions.--As used in ss. 633.801-633.825, unless the context clearly indicates otherwise, the term:

(1) "Department" means the Department of Insurance.

(2) "Division" means the Division of State Fire

Marshal of the Department of Insurance.

(3) "Firefighter employee" means any person engaged in any employment, public or private, as a firefighter under any appointment or contract of hire or apprenticeship, express or

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1 implied, oral or written, whether lawfully or unlawfully
2 employed, and responding to or assisting with fire and medical
3 emergencies whether or not the firefighter is on duty, except
4 those appointed under s. 590.02(1)(d).

5 (4) "Firefighter employer" means the state and all
6 political subdivisions thereof, all public and quasi-public
7 corporations therein, and any person carrying on any
8 employment thereof, which employs firefighters or which uses
9 volunteer firefighters, except those appointed under s.
10 590.02(1)(d).

11 (5) "Firefighter employment" or "employment" means any
12 service performed by a firefighter employee for the
13 firefighter employer.

14 (6) "Place of firefighter employment" or "place of
15 employment" means the physical location at which the
16 firefighter is employed.

17 Section 74. Effective July 1, 2001, section 633.803,
18 Florida Statutes, is created to read:

19 633.803 Legislative intent.--It is the intent of the
20 Legislature to enhance firefighter occupational safety and
21 health in this state through the implementation and
22 maintenance of policies, procedures, practices, rules, and
23 standards that reduce the incidence of firefighter employee
24 accidents, firefighter occupational diseases, and firefighter
25 fatalities compensable under chapter 440 or otherwise. The
26 Legislature further intends that the division develop a means
27 by which it can identify individual firefighter employers with
28 a high frequency or severity of work-related injuries, conduct
29 safety inspections of those firefighter employers, and assist
30 those firefighter employers in the development and
31 implemation of firefighter employee safety and health

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1 programs. In addition, it is the intent of the Legislature
2 that the division administer the provisions of ss.
3 633.801-633.825; provide assistance to firefighter employers,
4 firefighter employees, and insurers; and enforce the policies,
5 rules, and standards set forth in ss. 633.801-633.825.

6 Section 75. Effective July 1, 2001, section 633.804,
7 Florida Statutes, is created to read:

8 633.804 Safety inspections, consultations; rules.--The
9 division shall adopt rules governing the manner, means, and
10 frequency of firefighter employer and firefighter employee
11 safety inspections and consultations by all insurers and
12 self-insurers.

13 Section 76. Effective July 1, 2001, section 633.805,
14 Florida Statutes, is created to read:

15 633.805 Division to make study of firefighter
16 occupational diseases, etc.--The division shall make a
17 continuous study of firefighter occupational diseases and the
18 ways and means for their control and prevention and shall make
19 and enforce necessary regulations for such control. For this
20 purpose, the division is authorized to cooperate with
21 firefighter employers, firefighter employees, and insurers and
22 with the Department of Health.

23 Section 77. Effective July 1, 2001, section 633.806,
24 Florida Statutes, is created to read:

25 633.806 Investigations by the division; refusal to
26 admit; penalty.--

27 (1) The division shall make studies and investigations
28 with respect to safety provisions and the causes of
29 firefighter injuries in places of firefighter employment, and
30 shall make to the Legislature and firefighter employers and
31 insurers such recommendations as it considers proper as to the

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1 best means of preventing firefighter injuries. In making such
2 studies and investigations, the division may:

3 (a) Cooperate with any agency of the United States
4 charged with the duty of enforcing any law securing safety
5 against injury in any place of firefighter employment covered
6 by ss. 633.801-633.825, or any agency or department of the
7 state engaged in enforcing any law to assure safety for
8 firefighter employees.

9 (b) Allow any such agency or department to have access
10 to the records of the division.

11 (2) The division by rule may adopt procedures for
12 conducting investigations of firefighter employers under ss.
13 633.801-633.825.

14 Section 78. Effective July 1, 2001, section 633.807,
15 Florida Statutes, is created to read:

16 633.807 Safety; firefighter employer
17 responsibilities.--Every firefighter employer shall furnish to
18 firefighters employment that is safe for the firefighter
19 employees, furnish and use safety devices and safeguards,
20 adopt and use methods and processes reasonably adequate to
21 render such an employment and place of employment safe, and do
22 every other thing reasonably necessary to protect the lives,
23 health, and safety of such firefighter employees. As used in
24 this section, the terms "safe" and "safety" as applied to any
25 employment or place of firefighter employment mean such
26 freedom from danger as is reasonably necessary for the
27 protection of the lives, health, and safety of firefighter
28 employees, including conditions and methods of sanitation and
29 hygiene. Safety devices and safeguards required to be
30 furnished by the firefighter employer by this section or by
31 the division under authority of this section shall not include

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1 personal apparel and protective devices that replace personal
2 apparel normally worn by firefighter employees during regular
3 working hours.

4 Section 79. Effective July 1, 2001, section 633.808,
5 Florida Statutes, is created to read:

6 633.808 Division authority.--The division shall:

7 (1) Investigate and prescribe by rule what safety
8 devices, safeguards, or other means of protection must be
9 adopted for the prevention of accidents in every place of
10 firefighter employment or at any fire scene; determine what
11 suitable devices, safeguards, or other means of protection for
12 the prevention of occupational diseases must be adopted or
13 followed in any or all such places of firefighter employment
14 or at any fire scene; and adopt reasonable rules for the
15 prevention of accidents, the safety, protection, and security
16 of firefighters engaged in interior firefighting, and the
17 prevention of occupational diseases.

18 (2) Ascertain, fix, and order such reasonable
19 standards and rules for the construction, repair, and
20 maintenance of places of firefighter employment as shall
21 render them safe. Such rules and standards must be adopted in
22 accordance with chapter 120.

23 (3) Assist firefighter employers in the development
24 and implementation of firefighter employee safety training
25 programs by contracting with professional safety
26 organizations.

27 (4) Adopt rules prescribing recordkeeping
28 responsibilities for firefighter employers, which may include
29 rules for maintaining a log and summary of occupational
30 injuries, diseases, and illnesses and for producing on request
31 a notice of injury and firefighter employee accident

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1 investigation records, and rules prescribing a retention
2 schedule for such records.

3 Section 80. Effective July 1, 2001, section 633.810,
4 Florida Statutes, is created to read:

5 633.810 Firefighter employers whose firefighter
6 employees have a high frequency or severity of work-related
7 injuries.--The division shall develop a means by which it can
8 identify individual firefighter employers whose firefighter
9 employees have a high frequency or severity of work-related
10 injuries. The division shall carry out safety inspections of
11 the facilities and operations of these firefighter employers
12 in order to assist them in reducing the frequency and severity
13 of work-related injuries. The division shall develop safety
14 and health programs for those firefighter employers. Insurers
15 shall distribute these safety and health programs to the
16 firefighter employers so identified by the division. Those
17 firefighter employers identified by the division as having a
18 high frequency or severity of work-related injuries shall
19 implement a division-developed safety and health program. The
20 division shall carry out safety inspections of those
21 firefighter employers so identified to ensure compliance with
22 the safety and health program and to assist such firefighter
23 employers in reducing the number of work-related injuries. The
24 division may not assess penalties as the result of such
25 inspections, except as provided by s. 633.813. Copies of any
26 report made as the result of such an inspection must be
27 provided to the firefighter employer and its insurer.
28 Firefighter employers may submit their own safety and health
29 programs to the division for approval in lieu of using the
30 division-developed safety and health program. The division
31 must promptly review the program submitted and approve or

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1 disapprove it. Upon approval by the division, the program must
2 be implemented by the firefighter employer. If the program is
3 not approved or if a program is not submitted, the firefighter
4 employer must implement the division-developed program. The
5 division shall adopt rules setting forth the criteria for
6 safety and health programs, as such rules relate to this
7 section.

8 Section 81. Effective July 1, 2001, section 633.812,
9 Florida Statutes, is created to read:

10 633.812 Workplace safety committees and safety
11 coordinators.--

12 (1) In order to promote health and safety in places of
13 firefighter employment in this state:

14 (a) Each firefighter employer of 20 or more
15 firefighter employees shall establish and administer a
16 workplace safety committee in accordance with rules adopted
17 under this section.

18 (b) Each firefighter employer of fewer than 20
19 firefighter employees that is identified by the division as
20 having a high frequency or severity of work-related injuries
21 shall establish and administer a workplace safety committee or
22 designate a workplace safety coordinator who shall establish
23 and administer workplace safety activities in accordance with
24 rules adopted under this section.

25 (2) The division shall adopt rules:

26 (a) Prescribing the membership of the workplace safety
27 committees so as to ensure an equal number of firefighter
28 employee representatives, who are volunteers or are elected by
29 their peers, and of firefighter employer representatives and
30 specifying the frequency of meetings.

31 (b) Requiring firefighter employers to make adequate

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1 records of each meeting and to file and maintain the records
2 subject to inspection by the division.

3 (c) Prescribing the duties and functions of the
4 workplace safety committee and workplace safety coordinator,
5 which include, but are not limited to:

6 1. Establishing procedures for workplace safety
7 inspections by the committee.

8 2. Establishing procedures investigating all workplace
9 accidents, safety-related incidents, illnesses, and deaths.

10 3. Evaluating accident prevention and illness
11 prevention programs.

12 4. Prescribing guidelines for the training of
13 workplace safety committee members.

14 (3) The composition, selection, and function of
15 workplace safety committees shall be a mandatory topic of
16 negotiations with any certified collective bargaining agent
17 for firefighter employers that operate under a collective
18 bargaining agreement. Firefighter employers that operate under
19 a collective bargaining agreement that contains provisions
20 regulating the formation and operation of workplace safety
21 committees that meet or exceed the minimum requirements
22 contained in this section, or that otherwise have existing
23 workplace safety committees that meet or exceed the minimum
24 requirements established by this section, are in compliance
25 with this section.

26 (4) Firefighter employees must be compensated at their
27 regular hourly wages while engaged in workplace safety
28 committee or workplace safety coordinator training, meetings,
29 or other duties prescribed under this section.

30 Section 82. Effective July 1, 2001, section 633.813,
31 Florida Statutes, is created to read:

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1 633.813 Firefighter employer penalties.--If any
2 firefighter employer violates or fails or refuses to comply
3 with ss. 633.801-633.825, any rule adopted by the division in
4 accordance with chapter 120 for the prevention of injuries,
5 accidents, or occupational diseases, or any lawful order of
6 the division in connection with ss. 633.801-633.825, or fails
7 or refuses to furnish or adopt any safety device, safeguard,
8 or other means of protection prescribed by the division under
9 ss. 633.801-633.825 for the prevention of accidents or
10 occupational diseases, the division may assess against the
11 firefighter employer a civil penalty of not less than \$100 nor
12 more than \$5,000 for each day the violation, failure, or
13 refusal continues after the firefighter employer has been
14 given notice thereof in writing. The total penalty for each
15 violation may not exceed \$50,000. The division shall adopt
16 rules requiring penalties commensurate with the frequency or
17 severity, or both, of safety violations. A hearing must be
18 held in the county where the violation, failure, or refusal is
19 alleged to have occurred unless otherwise agreed to by the
20 firefighter employer and authorized by the division. All
21 penalties assessed and collected under this section shall be
22 deposited in the Insurance Commissioner's Regulatory Trust
23 Fund.

24 Section 83. Effective July 1, 2001, section 633.814,
25 Florida Statutes, is created to read:

26 633.814 Division cooperation with Federal Government;
27 exemption from division requirements.--

28 (1) The division shall cooperate with the Federal
29 Government so that duplicate inspections will be avoided yet
30 assure safe places of firefighter employment for the citizens
31 of this state.

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1 (2) Except as provided in this section, a private
2 firefighter employer is not subject to the requirements of the
3 division if:

4 (a) The private firefighter employer is subject to the
5 federal regulations in 29 C.F.R. ss. 1910 and 1926;

6 (b) The private firefighter employer has adopted and
7 implemented a written safety program that conforms to the
8 requirements of 29 C.F.R. ss. 1910 and 1926;

9 (c) A private firefighter employer with 20 or more
10 full-time firefighter employees includes provisions for a
11 workplace safety committee in its safety program. The
12 workplace safety committee must include firefighter employee
13 representation and must meet at least once each calendar
14 quarter. The private firefighter employer must make adequate
15 records of each meeting and maintain the records subject to
16 inspections under subsection (3). The workplace safety
17 committee shall, if appropriate, make recommendations
18 regarding improvements to the safety program and corrections
19 of hazards affecting workplace safety; and

20 (d) The private firefighter employer provides the
21 division with a written statement that certifies compliance
22 with this subsection.

23 (3) The division may enter at any reasonable time any
24 place of firefighter employment for the purpose of verifying
25 the accuracy of the written certification required pursuant to
26 paragraph (2)(d). If the division determines that the
27 firefighter employer has not complied with the requirements of
28 subsection (2), the firefighter employer shall be subject to
29 the rules of the division until the firefighter employer
30 complies with subsection (2) and recertifies that fact to the
31 division.

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1 (4) This section shall not restrict the division from
2 performing any duties pursuant to a written contract between
3 the division and the federal Occupational Safety and Health
4 Administration (OSHA).

5 Section 84. Effective July 1, 2001, section 633.815,
6 Florida Statutes, is created to read:

7 633.815 Failure to implement a safety and health
8 program; cancellations.--If a firefighter employer that is
9 found by the division to have a high frequency or severity of
10 work-related injuries fails to implement a safety and health
11 program, the insurer or self-insurer's fund that is providing
12 coverage for the firefighter employer may cancel the contract
13 for insurance with the firefighter employer. In the
14 alternative, the insurer or fund may terminate any discount or
15 deviation granted to the firefighter employer for the
16 remainder of the term of the policy. If the contract is
17 canceled or the discount or deviation is terminated, the
18 insurer must make such reports as are required by law.

19 Section 85. Effective July 1, 2001, section 633.816,
20 Florida Statutes, is created to read:

21 633.816 Expenses of administration.--The amounts that
22 are needed to administer ss. 633.801-633.825 shall be
23 disbursed from the Insurance Commissioner's Regulatory Trust
24 Fund.

25 Section 86. Effective July 1, 2001, section 633.817,
26 Florida Statutes, is created to read:

27 633.817 Refusal to admit; penalty.--The division and
28 its authorized representatives may enter and inspect any place
29 of firefighter employment at any reasonable time for the
30 purpose of investigating compliance with ss. 633.801-633.825
31 and conducting inspections for the proper enforcement of ss.

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1 633.801-633.825. A firefighter employer who refuses to admit
2 any member of the division or its authorized representative to
3 any place of employment or to allow investigation and
4 inspection pursuant to this section commits a misdemeanor of
5 the second degree, punishable as provided in s. 775.082 or s.
6 775.083.

7 Section 87. Effective July 1, 2001, section 633.818,
8 Florida Statutes, is created to read:

9 633.818 Firefighter employee rights and
10 responsibilities.--

11 (1) Each firefighter employee of a firefighter
12 employer covered under ss. 633.801-633.825 shall comply with
13 rules adopted by the division and with reasonable workplace
14 safety and health standards, rules, policies, procedures, and
15 work practices established by the firefighter employer and the
16 workplace safety committee. A firefighter employee who
17 knowingly fails to comply with this subsection may be
18 disciplined or discharged by the firefighter employer.

19 (2) A firefighter employer may not discharge, threaten
20 to discharge, cause to be discharged, intimidate, coerce,
21 otherwise discipline, or in any manner discriminate against a
22 firefighter employee for any of the following reasons:

23 (a) The firefighter employee has testified or is about
24 to testify, on her or his own behalf or on behalf of others,
25 in any proceeding instituted under ss. 633.801-633.825;

26 (b) The firefighter employee has exercised any other
27 right afforded under ss. 633.801-633.825; or

28 (c) The firefighter employee is engaged in activities
29 relating to the workplace safety committee.

30 (3) Neither pay, position, seniority, nor other
31 benefit may be lost for exercising any right under, or for

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1 seeking compliance with any requirement of, ss.
2 633.801-633.825.

3 Section 88. Effective July 1, 2001, section 633.819,
4 Florida Statutes, is created to read:

5 633.819 Compliance.--Failure of a firefighter employer
6 or an insurer to comply with ss. 633.801-633.825 or with any
7 rules adopted thereunder constitutes grounds for the division
8 to seek remedies, including injunctive relief, for
9 noncompliance by making appropriate filings with the circuit
10 court.

11 Section 89. Effective July 1, 2001, section 633.820,
12 Florida Statutes, is created to read:

13 633.820 False statements to insurers.--A firefighter
14 employer who knowingly and willfully falsifies or conceals a
15 material fact, makes a false, fictitious, or fraudulent
16 statement or representation, or makes or uses any false
17 document knowing the document to contain any false,
18 fictitious, or fraudulent entry or statement to an insurer of
19 workers' compensation insurance under ss. 633.801-633.825
20 commits a misdemeanor of the second degree, punishable as
21 provided in s. 775.082 or s. 775.083.

22 Section 90. Effective July 1, 2001, section 633.823,
23 Florida Statutes, is created to read:

24 633.823 Matters within jurisdiction of the division;
25 false, fictitious, or fraudulent acts, statements, and
26 representations prohibited; penalty; statute of
27 limitations.--A person may not, in any matter within the
28 jurisdiction of the division, knowingly and willfully falsify
29 or conceal a material fact; make any false, fictitious, or
30 fraudulent statement or representation; or make or use any
31 false document, knowing the same to contain any false,

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1 fictitious, or fraudulent statement or entry. A person who
2 violates this section commits a misdemeanor of the second
3 degree, punishable as provided in s. 775.082 or s. 775.083.
4 The statute of limitations for prosecution of an act committed
5 in violation of this section is 5 years after the date the act
6 was committed or, if not discovered within 30 days after the
7 act was committed, 5 years after the date the act was
8 discovered.

9 Section 91. Effective July 1, 2001, section 633.824,
10 Florida Statutes, is created to read:

11 633.824 Volunteer firefighters; volunteer fire
12 departments.--Sections 633.803-633.825 apply to volunteer
13 firefighters and volunteer fire departments.

14 Section 92. Effective July 1, 2001, section 633.825,
15 Florida Statutes, is created to read:

16 633.825 Workplace safety.--

17 (1) The division shall assist in making places of
18 firefighter employment safer places to work and decreasing the
19 frequency and severity of work-related injuries.

20 (2) The division shall have the authority to adopt
21 rules for the purpose of assuring safe working conditions for
22 all firefighter employees by authorizing the enforcement of
23 effective standards, assisting and encouraging firefighter
24 employers to maintain safe working conditions, and providing
25 for education and training in the field of safety.

26 Specifically, the division may by rule adopt all or any part
27 of subparts C through T and subpart Z of 29 C.F.R. part 1910
28 as revised April 8, 1998; the National Fire Protection
29 Association, Inc., Standard 1500, paragraph 5-7 (Personal
30 Alert Safety System) (1992 edition); and ANSI A 10.4-1990.

31 (3) With respect to 29 C.F.R. s. 1910.134(g)(4), the

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1 two individuals located outside the immediately dangerous to
2 life and health atmosphere may be assigned to an additional
3 rule, such as incident commander, pumper operator, engineer,
4 or driver, so long as such individual is able to immediately
5 perform assistance or rescue activities without jeopardizing
6 the safety or health of any firefighter working at an
7 incident. Also with respect to 29 C.F.R. s. 1910.134(g)(4):

8 (a) Each county, municipality, or special district
9 shall implement such provision by April 1, 2002, except as
10 provided in paragraph (b).

11 (b) If any county, municipality, or special district
12 is unable to implement such provision by April 1, 2002,
13 without adding additional personnel to its firefighting staff
14 or expending significant additional funds, such county,
15 municipality, or special district shall have an additional 6
16 months within which to implement such provision. Such county,
17 municipality, or special district shall notify the division
18 that the 6-month extension to implement such provision is in
19 effect in such county, municipality, or special district
20 within 30 days after its decision to extend the time for an
21 additional 6 months. The decision to extend the time for
22 implementation shall be made prior to April 1, 2002.

23 (c) If, after the extension granted in paragraph (b),
24 the county, municipality, or special district, after having
25 worked with and cooperated fully with the division and the
26 Firefighters Employment, Standards, and Training Council, is
27 still unable to implement such provision without adding
28 additional personnel to its firefighting staff or expending
29 significant additional funds, such county, municipality, or
30 special district shall be exempt from the requirements of 29
31 C.F.R. s. 1910.134(g)(4). Nevertheless, each year thereafter

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1 the division shall review each such county, municipality, or
2 special district to determine if such county, municipality, or
3 special district has the ability to implement such provision
4 without adding additional personnel to its firefighting staff
5 or expending significant additional funds. If the division
6 determines that any county, municipality, or special district
7 has the ability to implement such provision without adding
8 additional personnel to its firefighting staff or expending
9 significant additional funds, the division shall require such
10 county, municipality, or special district to implement such
11 provision. Such requirement by the division under this
12 paragraph constitutes final agency action subject to chapter
13 120.

14 (4) The provisions of chapter 440 which pertain to
15 workplace safety shall be applicable to the division.

16 (5) The division shall have the authority to adopt any
17 rule necessary to implement, interpret, and make specific the
18 provisions of this section; however, the division may not
19 adopt by rule any other standard or standards of the
20 Occupational Safety and Health Administration or the National
21 Fire Protection Association without specific legislative
22 authority.

23 Section 93. Paragraph (c) of subsection (3) of section
24 383.3362, Florida Statutes, is amended to read:

25 383.3362 Sudden Infant Death Syndrome.--

26 (3) TRAINING.--

27 (c) The Department of Health, in consultation with the
28 Emergency Medical Services Advisory Council, the Firefighters
29 Employment, Standards, and Training Council, and the Criminal
30 Justice Standards and Training Commission, shall develop and
31 adopt, by rule, curriculum that, at a minimum, includes

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1 training in the nature of SIDS, standard procedures to be
2 followed by law enforcement agencies in investigating cases
3 involving sudden deaths of infants, and training in responding
4 appropriately to the parents or caretakers who have requested
5 assistance.

6 Section 94. Subsection (4) of section 633.30, Florida
7 Statutes, is amended to read:

8 633.30 Standards for firefighting; definitions.--As
9 used in this chapter:

10 (4) "Council" means the Firefighters Employment,
11 Standards,and Training Council.

12 Section 95. Effective July 1, 2001, subsections (1)
13 and (2) of section 633.31, Florida Statutes, are amended to
14 read:

15 633.31 Firefighters Employment,Standards,and
16 Training Council.--

17 (1) There is created within the Department of
18 Insurance a Firefighters Employment,Standards,and Training
19 Council of thirteen ~~nine~~ members appointed by the State Fire
20 Marshal. Two members shall be fire chiefs who shall be
21 appointed by the Florida Fire Chiefs Association, two members
22 shall be firefighters who are not officers who shall be
23 appointed by the Florida Professional Firefighters'
24 Association, two members shall be firefighter officers who are
25 not fire chiefs who shall be appointed by the State Fire
26 Marshal, one member shall be appointed by the Florida League
27 of Cities, one member shall be appointed by the Florida
28 Association of Counties, one member shall be appointed by the
29 Florida Association of Special Districts, one member shall be
30 appointed by the Florida Fire Marshal's Association, one
31 member shall be appointed by the State Fire Marshal, and one

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1 member shall be a director or instructor of a state-certified
2 firefighting training facility who shall be appointed by the
3 State Fire Marshal. To be eligible for appointment as a fire
4 chief member, firefighter officer member, firefighter member,
5 or a director or instructor of a state-certified firefighting
6 facility, a person shall have had at least 4 years' experience
7 in the firefighting profession. The remaining member, who
8 shall be appointed by the State Fire Marshal, two members
9 shall not be a member or representative members of the
10 firefighting profession or of any local government. Members
11 shall serve only as long as they continue to meet the criteria
12 under which they were appointed, or unless a member has failed
13 to appear at three consecutive and properly noticed meetings
14 unless excused by the chair.

15 (2) ~~Initially, the State Fire Marshal shall appoint~~
16 ~~three members for terms of 4 years, two members for terms of 3~~
17 ~~years, two members for terms of 2 years, and two members for~~
18 ~~terms of 1 year. Thereafter, Members shall be appointed for~~
19 4-year terms and in no event shall a member serve more than
20 two consecutive terms. Any vacancy shall be filled in the
21 manner of the original appointment for the remaining time of
22 the term.

23 Section 96. Subsection (4) of section 633.32, Florida
24 Statutes, is amended to read:

25 633.32 Organization; meetings; quorum; compensation;
26 seal.--

27 (4) The council may adopt a seal for its use
28 containing the words "Firefighters Employment, Standards, and
29 Training Council."

30 Section 97. Subsections (4) and (5) of section 633.33,
31 Florida Statutes, are amended to read:

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1 designating such sections as the Florida
2 Firefighter Occupational Safety and Health Act;
3 providing definitions; providing legislative
4 intent; authorizing the Division of State Fire
5 Marshal to adopt rules related to firefighter
6 safety inspections; requiring the division to
7 conduct a study; requiring firefighter
8 employers to provide safe employment
9 conditions; authorizing the division to adopt
10 rules that prescribe means for preventing
11 accidents in places of firefighter employment
12 and establish standards for construction,
13 repair, and maintenance; requiring the division
14 to inspect places of firefighter employment and
15 to develop safety and health programs for those
16 firefighter employers whose employees have a
17 high frequency or severity of work-related
18 injuries; requiring certain firefighter
19 employers to establish workplace safety
20 committees and to maintain certain records;
21 providing penalties for firefighter employers
22 who violate provisions of the act; providing
23 exemptions; providing for the source of funding
24 of the division; specifying firefighter
25 employee rights and responsibilities; providing
26 penalties for firefighter employers who make
27 false statements to the division or to an
28 insurer; specifying applicability to volunteer
29 firefighters and volunteer fire departments;
30 authorizing the division to adopt rules for
31 assuring safe working conditions for all

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1 firefighter employees; amending s. 633.31,
2 F.S.; changing the name and membership of the
3 Firefighters Standards and Training Council;
4 amending ss. 383.3362, 633.30, and 633.32,
5 F.S., to conform; amending s. 633.33, F.S.;
6 revising certain powers of the council;
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