

hbd-032

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Bilirakis offered the following:

Amendment (with title amendment)

On page 1, line 13, through page 2, line 11,
remove from the bill: all of said lines,

and insert in lieu thereof:

112.18 Firefighters, correctional officers, and state
or county 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, correctional
officer as defined in s. 943.10(2) and (3), or state or county
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,
correctional officer, or state or county law enforcement
officer shall have successfully passed a physical examination

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Bill No. HB 649

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1 upon entering into any such service as a firefighter,
 2 correctional officer, or state or county law enforcement
 3 officer, which examination failed to reveal any evidence of
 4 any such condition. Such presumption shall not apply to
 5 benefits payable under or granted in a policy of life
 6 insurance or disability insurance, unless the insurer and
 7 insured have negotiated for such additional benefits to be
 8 included in the policy contract.

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

18 Section 2. The Legislature finds that a proper and
 19 legitimate state purpose is served when county law enforcement
 20 officers, correctional officers, and correctional probation
 21 officers are included in the class that benefits from the
 22 presumption that tuberculosis, heart disease, or hypertension
 23 resulting in total or partial disability or death is
 24 accidental and suffered in the line of duty unless the
 25 contrary is shown by competent evidence. Therefore, the
 26 Legislature determines and declares that this act fulfills an
 27 important state interest.

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30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

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1 On page 1, lines 4-7,
2 remove from the title of the bill: all of said lines,
3
4 and insert in lieu thereof:
5 including county law enforcement officers,
6 correctional officers, and correctional
7 probation officers within special provisions
8 creating a presumption relating to causes of
9 certain disabilities; providing a declaration
10 of important state interest; providing an
11 effective date.

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