

1                                   A bill to be entitled  
2           An act relating to law enforcement officers'  
3           disabilities; amending s. 112.18, F.S.;  
4           including county and municipal law enforcement  
5           officers, correctional officers, and  
6           correctional probation officers within special  
7           provisions creating a presumption relating to  
8           causes of certain disabilities; providing a  
9           declaration of important state interest;  
10          providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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

16           112.18 Firefighters, correctional officers, and state,  
17 county, or municipal law enforcement officers; special  
18 provisions relative to disability.--

19           (1) Any condition or impairment of health of any  
20 Florida state, municipal, county, port authority, special tax  
21 district, or fire control district firefighter, correctional  
22 officer as defined in s. 943.10(2) and (3), or state, county,  
23 or municipal law enforcement officer caused by tuberculosis,  
24 heart disease, or hypertension resulting in total or partial  
25 disability or death shall be presumed to have been accidental  
26 and to have been suffered in the line of duty unless the  
27 contrary be shown by competent evidence. However, any such  
28 firefighter, correctional officer, or state, county, or  
29 municipal law enforcement officer shall have successfully  
30 passed a physical examination upon entering into any such  
31 service as a firefighter, correctional officer, or state,

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

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

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

27 Section 3. This act shall take effect upon becoming a  
28 law.