

Bill No. SB 770

Amendment No. Barcode 464808

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

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11 Senator Crist moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 Delete everything after the enacting clause

16 and insert:

17 Section 1. Subsection (2) of section 440.092, Florida
18 Statutes, is amended to read:

19 440.092 Special requirements for compensability;
20 deviation from employment; subsequent intervening accidents.--

21 (2) GOING OR COMING.--An injury suffered while going
22 to or coming from work is not an injury arising out of and in
23 the course of employment whether or not the employer provided
24 transportation if such means of transportation was available
25 for the exclusive personal use by the employee, unless the
26 employee was engaged in a special errand or mission for the
27 employer. For the purposes of this subsection and not
28 withstanding any other provisions of law to the contrary, an
29 injury to a law enforcement officer as defined in Section
30 943.10(1), Florida Statutes, during the officer's work period
31 or while going to or coming from work in an official law

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1 enforcement vehicle, shall be presumed to be an injury arising
 2 out of and in the course of employment unless the injury
 3 occurred during a distinct deviation for a non-essential
 4 personal errand. If, however, the employer's policy or the
 5 collective bargaining agreement that applies to the officer
 6 permits such deviations for non-essential errands, the injury
 7 shall be presumed to arise out of and in the course of
 8 employment.

9 Section 2. It is hereby declared by the Legislature
 10 that law enforcement officers perform state and municipal
 11 functions, that it is their duty to protect life and property
 12 at their own risk and peril, and that their activities are
 13 vital to the public safety. Therefore, the Legislature
 14 declares that it is a proper and legitimate state purpose to
 15 provide workers' compensation coverage to law enforcement
 16 officers during work periods and while going to and coming
 17 from work in an official law enforcement vehicle. Pursuant to
 18 Section 18, Article VII of the State Constitution, the
 19 Legislature hereby determines and declares that the provisions
 20 of this act fulfill an important state interest.

21 Section 3. This act shall take effect upon becoming a
 22 law.

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

26 And the title is amended as follows:

27 Delete everything before the enacting clause

28

29 and insert:

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 A bill to be entitled

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 An act relating to workers' compensation;

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1 amending s. 440.092, F.S.; characterizing
2 certain activities of certain officers as
3 arising out of and in the course of employment
4 for compensability purposes; providing a
5 declaration of important state interest;
6 providing an effective date.
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