

hbd-032

Bill No. CS/HB 1121

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

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

Amendment (with title amendment)

On page 4, before line 1,

and insert:

Section 3. Section 112.18, Florida Statutes, is amended to read:

112.18 Firefighters and ~~state~~ 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 or any state law enforcement officer or correctional officer as defined in s. 943.10(1), (2), or (3) 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 or ~~state~~ law enforcement officer shall have successfully passed a physical examination upon entering into

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1 any such service as a firefighter or ~~state~~ law enforcement
 2 officer, which examination failed to reveal any evidence of
 3 any such condition. Such presumption shall not apply to
 4 benefits payable under or granted in a policy of life
 5 insurance or disability insurance, unless the insurer and
 6 insured have negotiated for such additional benefits to be
 7 included in the 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, law enforcement officer, or correctional officer
 14 caused by tuberculosis, heart disease, or hypertension
 15 resulting in total or partial disability or death was
 16 accidental and suffered in the line of duty, unless the
 17 contrary be shown by competent evidence.

18 Section 4. The Legislature finds that a proper and
 19 legitimate state purpose is served when 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 be 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, line 9, after the semicolon,
2 remove:
3
4 and insert:
5 amending s. 112.18, F.S.; expanding the
6 provisions of law with respect to disability in
7 the line of duty to include all law enforcement
8 officers and certain correctional officers;
9 providing a finding of important state
10 interest;

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