

By Senator Pruitt

27-323-02

See HB 5

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A bill to be entitled
An act relating to disability in the line of
duty; amending s. 112.18, F.S.; expanding the
provisions of law with respect to disability in
the line of duty to include all law enforcement
officers and certain correctional officers;
providing a finding of important state
interest; providing an effective date.

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

Section 1. 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
any such service as a firefighter or ~~state~~ law enforcement
officer, which examination failed to reveal any evidence of
any such condition. Such presumption shall not apply to
benefits payable under or granted in a policy of life
insurance or disability insurance, unless the insurer and

1 insured have negotiated for such additional benefits to be
2 included in the policy contract.

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

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

23 Section 3. This act shall take effect upon becoming a
24 law.

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27 LEGISLATIVE SUMMARY

28 Expands a provision of law with respect to disability in
29 the line of duty to include all law enforcement officers
30 rather than only state law enforcement officers and to
include correctional officers. (See bill for details.)

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