

By Representative Kilmer

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

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

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12 Section 1. Section 112.18, Florida Statutes, is
13 amended to read:

14 112.18 Firefighters and ~~state~~ law enforcement
15 officers; special provisions relative to disability.--

16 (1) Any condition or impairment of health of any
17 Florida state, municipal, county, port authority, special tax
18 district, or fire control district firefighter or any state
19 law enforcement officer or correctional officer as defined in
20 s. 943.10(1), (2), or (3) caused by tuberculosis, heart
21 disease, or hypertension resulting in total or partial
22 disability or death shall be presumed to have been accidental
23 and to have been suffered in the line of duty unless the
24 contrary be shown by competent evidence. However, any such
25 firefighter or ~~state~~ law enforcement officer shall have
26 successfully passed a physical examination upon entering into
27 any such service as a firefighter or ~~state~~ law enforcement
28 officer, which examination failed to reveal any evidence of
29 any such condition. Such presumption shall not apply to
30 benefits payable under or granted in a policy of life
31 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 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 be 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 HOUSE 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
31 include correctional officers. See bill for details.