

Bill No. CS for CS for SB's 662 & 232, 2nd Eng.

Amendment No. Barcode 875372

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Posey moved the following **amendment to House amendment** (024869):

Senate Amendment (with title amendment)

On page 7, line 17,

insert:

Section 894. Sections 633.801, 633.802, 633.803, 633.804, 633.805, 633.806, 633.807, 633.808, 633.809, 633.810, 633.811, 633.812, 633.813, 633.814, 633.815, 633.816, 633.817, 633.818, 633.819, 633.820, and 633.821, Florida Statutes, are created to read:

633.801 Short title.--Sections 633.801-633.821 may be cited as the "Florida Firefighters Occupational Safety and Health Act."

633.802 Definitions.--Unless the context clearly requires otherwise, the following definitions shall apply to ss. 633.801-633.821:

(1) "Department" means the Department of Insurance.

(2) "Division" means the Division of State Fire Marshal of the department.

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1 (3) "Firefighter employee" means any person engaged in
2 any employment, public or private, as a firefighter under any
3 appointment or contract of hire or apprenticeship, express or
4 implied, oral or written, whether lawfully or unlawfully
5 employed, responding to or assisting with fire or medical
6 emergencies, whether or not the firefighter is on duty, except
7 those appointed under s. 590.02(1)(d).

8 (4) "Firefighter employer" means the state and all
9 political subdivisions of this state, all public and
10 quasi-public corporations in this state, and every person
11 carrying on any employment for this state, political
12 subdivisions of this state, and public and quasi-public
13 corporations in this state, which employs firefighters, except
14 those appointed under s. 590.02(1)(d).

15 (5) "Firefighter employment" or "employment" means any
16 service performed by a firefighter employee for the
17 firefighter employer.

18 (6) "Firefighter place of employment" or "place of
19 employment" means the physical location at which the
20 firefighter is employed.

21 633.803 Legislative intent.--It is the intent of the
22 Legislature to enhance firefighter occupational safety and
23 health in the state through the implementation and maintenance
24 of policies, procedures, practices, rules, and standards that
25 reduce the incidence of firefighter employee accidents,
26 firefighter occupational diseases, and firefighter fatalities
27 compensable under chapter 440 or otherwise. The Legislature
28 further intends that the division develop a means by which the
29 division can identify individual firefighter employers with a
30 high frequency or severity of work-related injuries, conduct
31 safety inspections of those firefighter employers, and assist

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1 those firefighter employers in the development and
2 implementation of firefighter employee safety and health
3 programs. In addition, it is the intent of the Legislature
4 that the division administer the provisions of ss.
5 633.801-633.821; provide assistance to firefighter employers,
6 firefighter employees, and insurers; and enforce the policies,
7 rules, and standards set forth in ss. 633.801-633.821.
8 633.804 Safety inspections and consultations;
9 rules.--The division shall adopt rules governing the manner,
10 means, and frequency of firefighter employer and firefighter
11 employee safety inspections and consultations by all insurers
12 and self-insurers.
13 633.805 Division to make study of firefighter
14 occupational diseases.--The division shall make a continuous
15 study of firefighter occupational diseases and the ways and
16 means for their control and prevention and shall adopt rules
17 necessary for such control and prevention. For this purpose,
18 the division is authorized to cooperate with firefighter
19 employers, firefighter employees, and insurers and with the
20 Department of Health.
21 633.806 Investigations by the division; refusal to
22 admit; penalty.--
23 (1) The division shall make studies and investigations
24 with respect to safety provisions and the causes of
25 firefighter injuries in firefighter places of employment and
26 shall make such recommendations to the Legislature and
27 firefighter employers and insurers as the division considers
28 proper as to the best means of preventing firefighter
29 injuries. In making such studies and investigations, the
30 division may cooperate with any agency of the United States
31 charged with the duty of enforcing any law securing safety

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1 against injury in any place of firefighter employment covered
2 by ss. 633.801-633.821 or any agency or department of the
3 state engaged in enforcing any law to ensure safety for
4 firefighter employees.

5 (2) The division by rule may adopt procedures for
6 conducting investigations of firefighter employers under ss.
7 633.801-633.821.

8 633.807 Safety; firefighter employer
9 responsibilities.--Every firefighter employer shall furnish
10 and use safety devices and safeguards, adopt and use methods
11 and processes reasonably adequate to render such an employment
12 and place of employment safe, and do every other thing
13 reasonably necessary to protect the lives, health, and safety
14 of such firefighter employees. As used in this section, the
15 terms "safe" and "safety" as applied to any employment or
16 place of firefighter employment mean such freedom from danger
17 as is reasonably necessary for the protection of the lives,
18 health, and safety of firefighter employees, including
19 conditions and methods of sanitation and hygiene. Safety
20 devices and safeguards required to be furnished by the
21 firefighter employer by this section or by the division under
22 authority of this section shall not include personal apparel
23 and protective devices that replace personal apparel normally
24 worn by firefighter employees during regular working hours.

25 633.808 Division authority.--The division shall:

26 (1) Investigate and prescribe by rule what safety
27 devices, safeguards, or other means of protection must be
28 adopted for the prevention of accidents in every firefighter
29 place of employment or at any fire scene; determine what
30 suitable devices, safeguards, or other means of protection for
31 the prevention of occupational diseases must be adopted or

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1 followed in any or all such firefighter places of employment
2 or at any fire scene; and adopt reasonable rules for the
3 prevention of accidents, the safety, protection, and security
4 of firefighters engaged in interior firefighting, and the
5 prevention of occupational diseases.

6 (2) Ascertain, fix, and order such reasonable
7 standards and rules for the construction, repair, and
8 maintenance of firefighter places of employment as shall
9 render them safe. Such rules and standards shall be adopted
10 in accordance with chapter 120.

11 (3) Assist firefighter employers in the development
12 and implementation of firefighter employee safety training
13 programs by contracting with professional safety
14 organizations.

15 (4) Adopt rules prescribing recordkeeping
16 responsibilities for firefighter employers, which may include
17 maintaining a log and summary of occupational injuries,
18 diseases, and illnesses, rules for producing on request a
19 notice of injury and firefighter employee accident
20 investigation records, and rules prescribing a retention
21 schedule for such records.

22 633.809 Firefighter employers whose firefighter
23 employees have a high frequency of work-related injuries.--The
24 division shall develop a means by which the division may
25 identify individual firefighter employers whose firefighter
26 employees have a high frequency or severity of work-related
27 injuries. The division shall carry out safety inspections of
28 the facilities and operations of those firefighter employers
29 in order to assist them in reducing the frequency and severity
30 of work-related injuries. The division shall develop safety
31 and health programs for those firefighter employers. Insurers

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1 shall distribute such safety and health programs to the
2 firefighter employers so identified by the division. Those
3 firefighter employers identified by the division as having a
4 high frequency or severity of work-related injuries shall
5 implement a safety and health program developed by the
6 division. The division shall carry out safety inspections of
7 those firefighter employers so identified to ensure compliance
8 with the safety and health program and to assist such
9 firefighter employers in reducing the number of work-related
10 injuries. The division may not assess penalties as the result
11 of such inspections, except as provided by s. 633.813. Copies
12 of any report made as the result of such an inspection shall
13 be provided to the firefighter employer and its insurer.
14 Firefighter employers may submit their own safety and health
15 programs to the division for approval in lieu of using the
16 safety and health program developed by the division. The
17 division shall promptly review the program submitted and
18 approve or disapprove the program within 60 days, or such
19 program shall be deemed approved. Upon approval by the
20 division, the program shall be implemented by the firefighter
21 employer. If the program is not approved or if a program is
22 not submitted, the firefighter employer shall implement the
23 program developed by the division. The division shall adopt
24 rules setting forth the criteria for safety and health
25 programs, as such rules relate to this section.

26 633.810 Workplace safety committees and safety
27 coordinators.--

28 (1) In order to promote health and safety in places of
29 firefighter employment in this state:

30 (a) Each firefighter employer of 20 or more
31 firefighter employees shall establish and administer a

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1 workplace safety committee in accordance with rules adopted
2 under this section.

3 (b) Each firefighter employer of fewer than 20
4 firefighter employees identified by the division as having
5 high frequency or severity of work-related injuries shall
6 establish and administer a workplace safety committee or
7 designate a workplace safety coordinator who shall establish
8 and administer workplace safety activities in accordance with
9 rules adopted under this section.

10 (2) The division shall adopt rules:

11 (a) Prescribing the membership of the workplace safety
12 committees so as to ensure an equal number of firefighter
13 employee representatives, who are volunteers or are elected by
14 their peers, and of firefighter employer representatives, and
15 specifying the frequency of meetings.

16 (b) Requiring firefighter employers to make adequate
17 records of each meeting and to file and to maintain the
18 records subject to inspection by the division.

19 (c) Prescribing the duties and functions of the
20 workplace safety committee and workplace safety coordinator,
21 which include, but are not limited to:

22 1. Establishing procedures for workplace safety
23 inspections by the committee.

24 2. Establishing procedures for investigating all
25 workplace accidents, safety-related incidents, illnesses, and
26 deaths.

27 3. Evaluating accident prevention and illness
28 prevention programs.

29 4. Prescribing guidelines for the training of safety
30 committee members.

31 (3) The composition, selection, and function of

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1 workplace safety committees shall be a mandatory topic of
2 negotiations with any certified collective bargaining agent
3 for firefighter employers that operate under a collective
4 bargaining agreement. Firefighter employers that operate
5 under a collective bargaining agreement that contains
6 provisions regulating the formation and operation of workplace
7 safety committees that meet or exceed the minimum requirements
8 contained in this section, or firefighter employers who
9 otherwise have existing workplace safety committees that meet
10 or exceed the minimum requirements established by this
11 section, are in compliance with this section.

12 (4) Firefighter employees shall be compensated their
13 regular hourly wage while engaged in workplace safety
14 committee or workplace safety coordinator training, meetings,
15 or other duties prescribed under this section.

16 633.811 Firefighter employer penalties.--If any
17 firefighter employer violates or fails or refuses to comply
18 with ss. 633.801-633.821, or with any rule adopted by the
19 division under such sections in accordance with chapter 120
20 for the prevention of injuries, accidents, or occupational
21 diseases or with any lawful order of the division in
22 connection with ss. 633.801-633.821, or fails or refuses to
23 furnish or adopt any safety device, safeguard, or other means
24 of protection prescribed by division rule under ss.
25 633.801-633.821 for the prevention of accidents or
26 occupational diseases, the division may assess against the
27 firefighter employer a civil penalty of not less than \$100 nor
28 more than \$5,000 for each day the violation, omission,
29 failure, or refusal continues after the firefighter employer
30 has been given written notice of such violation, omission,
31 failure, or refusal. The total penalty for each violation may

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1 not exceed \$50,000. The division shall adopt rules requiring
2 penalties commensurate with the frequency or severity of
3 safety violations. A hearing shall be held in the county in
4 which the violation, omission, failure, or refusal is alleged
5 to have occurred, unless otherwise agreed to by the
6 firefighter employer and authorized by the division. All
7 penalties assessed and collected under this section shall be
8 deposited in the Insurance Commissioner's Regulatory Trust
9 Fund.

10 633.812 Division cooperation with Federal Government;
11 exemption from requirements for private firefighter
12 employers.--

13 (1) The division shall cooperate with the Federal
14 Government so that duplicate inspections will be avoided while
15 at the same time ensuring safe places of firefighter
16 employment for the citizens of this state.

17 (2) Except as provided in this section, a private
18 firefighter employer is not subject to the requirements of the
19 division if:

20 (a) The private firefighter employer is subject to the
21 federal regulations in 29 C.F.R. ss. 1910 and 1926;

22 (b) The private firefighter employer has adopted and
23 implemented a written safety program that conforms to the
24 requirements of 29 C.F.R. ss. 1910 and 1926;

25 (c) A private firefighter employer with 20 or more
26 full-time firefighter employees shall include provisions for a
27 safety committee in the safety program. The safety committee
28 shall include firefighter employee representation and shall
29 meet at least once each calendar quarter. The private
30 firefighter employer shall make adequate records of each
31 meeting and maintain the records subject to inspections under

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1 subsection (3). The safety committee shall, if appropriate,
2 make recommendations regarding improvements to the safety
3 program and corrections of hazards affecting workplace safety;
4 and

5 (d) The private firefighter employer provides the
6 division with a written statement that certifies compliance
7 with this subsection.

8 (3) The division may enter at any reasonable time any
9 place of private firefighter employment for the purpose of
10 verifying the accuracy of the written certification. If the
11 division determines that the private firefighter employer has
12 not complied with the requirements of subsection (2), the
13 private firefighter employer shall be subject to the rules of
14 the division until the private firefighter employer complies
15 with subsection (2) and recertifies that fact to the division.

16 (4) This section shall not restrict the division's
17 performance of any duties pursuant to a written contract
18 between the division and the federal Occupational Safety and
19 Health Administration.

20 633.813 Failure to implement a safety and health
21 program; cancellations.--If a firefighter employer that is
22 found by the division to have a high frequency or severity of
23 work-related injuries fails to implement a safety and health
24 program, the insurer or self-insurer's fund that is providing
25 coverage for the firefighter employer may cancel the contract
26 for insurance with the firefighter employer. In the
27 alternative, the insurer or fund may terminate any discount or
28 deviation granted to the firefighter employer for the
29 remainder of the term of the policy. If the contract is
30 canceled or the discount or deviation is terminated, the
31 insurer shall make such reports as are required by law.

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1 633.814 Expenses of administration.--The amounts that
2 are needed to administer ss. 633.801-633.821 shall be
3 disbursed from the Insurance Commissioner's Regulatory Trust
4 Fund.

5 633.815 Refusal to admit; penalty.--The division and
6 authorized representatives of the division may enter and
7 inspect any place of firefighter employment at any reasonable
8 time for the purpose of investigating compliance with ss.
9 633.801-633.821 and conducting inspections for the proper
10 enforcement of ss. 633.801-633.821. A firefighter employer
11 who refuses to admit any member of the division or authorized
12 representative of the division to any place of employment or
13 to allow investigation and inspection pursuant to this section
14 commits a misdemeanor of the second degree, punishable as
15 provided in s. 775.082 or s. 775.083.

16 633.816 Firefighter employee rights and
17 responsibilities.--

18 (1) Each firefighter employee of a firefighter
19 employer covered under ss. 633.801-633.821 shall comply with
20 rules adopted by the division and with reasonable workplace
21 safety and health standards, rules, policies, procedures, and
22 work practices established by the firefighter employer and the
23 workplace safety committee. A firefighter employee who
24 knowingly fails to comply with this subsection may be
25 disciplined or discharged by the firefighter employer.

26 (2) A firefighter employer may not discharge, threaten
27 to discharge, cause to be discharged, intimidate, coerce,
28 otherwise discipline, or in any manner discriminate against a
29 firefighter employee for any of the following reasons:

30 (a) The firefighter employee has testified or is about
31 to testify, on her or his own behalf, or on behalf of others,

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1 in any proceeding instituted under ss. 633.801-633.821;

2 (b) The firefighter employee has exercised any other
3 right afforded under ss. 633.801-633.821; or

4 (c) The firefighter employee is engaged in activities
5 relating to the workplace safety committee.

6 (3) No pay, position, seniority, or other benefit may
7 be lost for exercising any right under, or for seeking
8 compliance with, any requirement of ss. 633.801-633.821.

9 633.817 Compliance.--Failure of a firefighter employer
10 or an insurer to comply with ss. 633.801-633.821, or with any
11 rules adopted under ss. 633.801-633.821, constitutes grounds
12 for the division to seek remedies, including injunctive
13 relief, for compliance by making appropriate filings with the
14 circuit court.

15 633.818 False statements to insurers.--A firefighter
16 employer who knowingly and willfully falsifies or conceals a
17 material fact; makes a false, fictitious, or fraudulent
18 statement or representation; or makes or uses any false
19 document knowing the document to contain any false,
20 fictitious, or fraudulent entry or statement to an insurer of
21 workers' compensation insurance under ss. 633.801-633.821
22 commits a misdemeanor of the second degree, punishable as
23 provided in s. 775.082 or s. 775.083.

24 633.819 Matters within jurisdiction of the division;
25 false, fictitious, or fraudulent acts, statements, and
26 representations prohibited; penalty; statute of
27 limitations.--A person may not, in any matter within the
28 jurisdiction of the division, knowingly and willfully falsify
29 or conceal a material fact; make any false, fictitious, or
30 fraudulent statement or representation; or make or use any
31 false document, knowing the same to contain any false,

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1 fictitious, or fraudulent statement or entry. A person who
2 violates this section commits a misdemeanor of the second
3 degree, punishable as provided in s. 775.082 or s. 775.083.
4 The statute of limitations for prosecution of an act committed
5 in violation of this section is 5 years after the date the act
6 was committed or, if not discovered within 30 days after the
7 act was committed, 5 years after the date the act was
8 discovered.

9 633.820 Volunteer firefighters.--Sections
10 633.803-633.821 apply to volunteer firefighters and volunteer
11 fire departments.

12 633.821 Workplace safety.--

13 (1) The division shall assist in making the workplace
14 of a firefighter place of employment a safer place to work and
15 decreasing the frequency and severity of on-the-job injuries
16 in such workplace.

17 (2) The division shall have the authority to adopt
18 rules for the purpose of ensuring safe working conditions for
19 all firefighter employees by authorizing the enforcement of
20 effective standards, by assisting and encouraging firefighter
21 employers to maintain safe working conditions, and by
22 providing for education and training in the field of safety.
23 Specifically, the division may by rule adopt all or any part
24 of subparts C through T and subpart Z of 29 C.F.R. s. 1910, as
25 revised April 8, 1998; the National Fire Protection
26 Association, Inc., Standard 1500, paragraph 5-7 (Personal
27 Alert Safety System) (1992 edition); and ANSI A 10.4-1990.

28 (3) With respect to 29 C.F.R. s. 1910.134(g)(4), the
29 two individuals located outside the immediately dangerous to
30 life and health atmosphere may be assigned to an additional
31 role, such as incident commander, pumper operator, engineer,

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1 or driver, so long as such individual is able to immediately
2 perform assistance or rescue activities without jeopardizing
3 the safety or health of any firefighter working at an
4 incident. Also with respect to 29 C.F.R. s. 1910.134(g)(4):

5 (a) Each county, municipality, and special district
6 shall implement such provision by April 1, 2002, except as
7 provided in paragraphs (b) and (c).

8 (b) If any county, municipality, or special district
9 is unable to implement such provision by April 1, 2002,
10 without adding additional personnel to its firefighting staff
11 or expending significant additional funds, such county,
12 municipality, or special district shall have an additional 6
13 months within which to implement such provision. Such county,
14 municipality, or special district shall notify the division
15 that the 6-month extension to implement such provision is in
16 effect in such county, municipality, or special district
17 within 30 days after its decision to extend the time for the
18 additional 6 months. The decision to extend the time for
19 implementation shall be made prior to April 1, 2002.

20 (c) If, after the extension granted in paragraph (b),
21 the county, municipality, or special district, after having
22 worked with and cooperated fully with the division and the
23 Firefighters Employment, Standards, and Training Council, is
24 still unable to implement such provisions without adding
25 additional personnel to its firefighting staff or expending
26 significant additional funds, such municipality, county, or
27 special district shall be exempt from the requirements of 29
28 C.F.R. s. 1910.134(g)(4). Nevertheless, each year thereafter
29 the division shall review each such county, municipality, or
30 special district to determine if such county, municipality, or
31 special district has the ability to implement such provision

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1 without adding additional personnel to its firefighting staff
2 or expending significant additional funds. If the division
3 determines that any county, municipality, or special district
4 has the ability to implement such provision without adding
5 additional personnel to its firefighting staff or expending
6 significant additional funds, the division shall require such
7 county, municipality, or special district to implement such
8 provision. Such requirement by the division under this
9 paragraph constitutes final agency action subject to chapter
10 120.

11 (4) The provisions of chapter 440 which pertain to
12 workplace safety apply to the division.

13 (5) The division may adopt any rule necessary to
14 implement, interpret, and make specific the provisions of this
15 section, provided the division may not adopt by rule any other
16 standard or standards of the Occupational Safety and Health
17 Administration or the National Fire Protection Association
18 relating solely to ss. 633.801-633.821 and firefighter
19 employment safety without specific legislative authority.

20 Section 895. Section 633.31, Florida Statutes, is
21 amended to read:

22 633.31 Firefighters Employment, Standards, and
23 Training Council.--

24 (1) There is created within the Department of
25 Insurance a Firefighters Employment, Standards, and Training
26 Council of 13 ~~nine~~ members ~~appointed by the State Fire~~
27 ~~Marshal~~. Two members shall be fire chiefs, who shall be
28 appointed by the Florida Fire Chiefs Association;~~two members~~
29 shall be firefighters who are not officers, who shall be
30 appointed by the Florida Professional Firefighters
31 Association;~~two members shall be firefighter officers who~~

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1 are not fire chiefs, who shall be appointed by the State Fire
2 Marshal; one member shall be a director or instructor of a
3 state-certified firefighting training facility, who shall be
4 appointed by the State Fire Marshal; one member shall be
5 appointed by the Florida League of Cities, one member shall be
6 appointed by the Florida Association of Counties, one member
7 shall be appointed by the Florida Association of Special
8 Districts, one member shall be appointed by the Florida Fire
9 Marshal's Association, and one member shall be appointed by
10 the State Fire Marshal ~~and one member shall be a director or~~
11 ~~instructor of a state-certified firefighting training~~
12 ~~facility.~~ To be eligible for appointment as a fire chief
13 member, firefighter officer member, firefighter member, or a
14 director or instructor of a state-certified firefighting
15 facility, a person shall have had at least 4 years' experience
16 in the firefighting profession. The remaining member, who
17 shall be appointed by the State Fire Marshal, ~~two members~~
18 shall not be a member or representative ~~members~~ of the
19 firefighting profession or of any local government. Members
20 shall serve only as long as they continue to meet the criteria
21 under which they were appointed, or unless a member has failed
22 to appear at three consecutive and properly noticed meetings
23 unless excused by the chair.

24 (2) ~~Initially, the State Fire Marshal shall appoint~~
25 ~~three members for terms of 4 years, two members for terms of 3~~
26 ~~years, two members for terms of 2 years, and two members for~~
27 ~~terms of 1 year.~~ Thereafter, Members shall be appointed for
28 4-year terms and in no event shall a member serve more than
29 two consecutive terms. Any vacancy shall be filled in the
30 manner of the original appointment for the remaining time of
31 the term.

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1 (3) The State Fire Marshal, in making her or his
2 appointments, shall take into consideration representation by
3 geography, population, and other relevant factors, in order
4 that the membership on the council will be apportioned to give
5 representation to the state at large rather than to a
6 particular area.

7 (4) Membership on the council shall not disqualify a
8 member from holding any other public office or being employed
9 by a public entity, except that no member of the Legislature
10 shall serve on the council.

11 Section 896. Subsections (4) and (5) of section
12 633.33, Florida Statutes, are amended to read:

13 633.33 Special powers; firefighter training.--The
14 council shall have special powers in connection with the
15 employment and training of firefighters to:

16 (4) Consult and cooperate with any employing agency,
17 university, college, community college, the Florida State Fire
18 College, or other educational institution concerning the
19 employment and safety of firefighters, including, but not
20 limited to, the safety of firefighters while at the scene of a
21 fire or the scene of an incident related to the provision of
22 emergency services to which a firefighter responds and
23 development of firefighter training schools and programs of
24 courses of instruction, including, but not limited to,
25 education and training in the areas of firefighter employment,
26 fire science, fire technology, fire administration, and all
27 allied and supporting fields.

28 (5) Make or support studies on any aspect of
29 firefighting employment, education, and training or
30 recruitment.

31 Section 897. Paragraph (c) of subsection (3) of

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1 section 383.3362, Florida Statutes, is amended to read:

2 383.3362 Sudden Infant Death Syndrome.--

3 (3) TRAINING.--

4 (c) The Department of Health, in consultation with the
5 Emergency Medical Services Advisory Council, the Firefighters
6 Employment, Standards, and Training Council, and the Criminal
7 Justice Standards and Training Commission, shall develop and
8 adopt, by rule, curriculum that, at a minimum, includes
9 training in the nature of SIDS, standard procedures to be
10 followed by law enforcement agencies in investigating cases
11 involving sudden deaths of infants, and training in responding
12 appropriately to the parents or caretakers who have requested
13 assistance.

14 Section 898. Subsection (4) of section 633.30, Florida
15 Statutes, is amended to read:

16 633.30 Standards for firefighting; definitions.--As
17 used in this chapter:

18 (4) "Council" means the Firefighters Employment,
19 Standards, and Training Council.

20 Section 899. Subsection (4) of section 633.32, Florida
21 Statutes, is amended to read:

22 633.32 Organization; meetings; quorum; compensation;
23 seal.--

24 (4) The council may adopt a seal for its use
25 containing the words "Firefighters Employment, Standards, and
26 Training Council."

27 Section 900. The Legislature determines and declares
28 that this act fulfills an important state interest.

29
30 (Redesignate subsequent sections.)
31

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

2 And the title is amended as follows:

3 On page 7, line 26, after the semicolon

4

5 insert:

6 creating ss. 633.801, 633.802, 633.803,
7 633.804, 633.805, 633.806, 633.807, 633.808,
8 633.809, 633.810, 633.811, 633.812, 633.813,
9 633.814, 633.815, 633.816, 633.817, 633.818,
10 633.819, 633.820, and 633.821, F.S.; providing
11 a short title; providing definitions; providing
12 legislative intent; authorizing the Division of
13 State Fire Marshal of the Department of
14 Insurance to adopt rules related to firefighter
15 safety inspections; requiring the division to
16 conduct a study of firefighter occupational
17 diseases; authorizing representatives of the
18 division to enter and inspect any place of
19 firefighter employment; requiring firefighter
20 employers to provide safe employment
21 conditions; authorizing the division to adopt
22 rules that prescribe means for preventing
23 accidents in places of firefighter employment
24 and establish standards for construction,
25 repair, and maintenance; requiring the division
26 to inspect places of firefighter employment and
27 to develop safety and health programs for those
28 firefighter employers whose employees have a
29 high frequency or severity of work-related
30 injuries; requiring certain firefighter
31 employers to establish workplace safety

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1 committees and to maintain certain records;
2 providing penalties for firefighter employers
3 who violate provisions of the act; providing
4 exemptions; providing a penalty for the failure
5 to implement a safety and health program and
6 cancellations; providing for expenses of
7 administration; providing penalties for refusal
8 to admit division; specifying firefighter
9 employee rights and responsibilities; providing
10 division remedies for failure to comply;
11 providing penalties for firefighter employers
12 who make false statements to the division or to
13 an insurer; providing criminal penalties for
14 false, malicious, or fraudulent statements and
15 representations; specifying applicability to
16 volunteer firefighters and fire departments;
17 providing for workplace safety and authorizing
18 the division to adopt rules including federal
19 standards for assuring safe working conditions
20 for all firefighter employees; amending s.
21 633.31, F.S.; changing the name of and
22 expanding and diversifying the Firefighters
23 Standards and Training Council; amending s.
24 633.33, F.S.; providing additional duties of
25 the council; amending ss. 383.3362, 633.330,
26 and 633.32, F.S.; revising cross-references, to
27 conform; providing for legislative
28 determination of important state interest;
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