

CHAMBER ACTION

1 The Governmental Operations Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to employment requirements for law  
7 enforcement personnel; amending s. 943.13, F.S.; revising  
8 the presumption of disability for certain law enforcement,  
9 correctional, and correctional probation officers;  
10 amending s. 943.137, F.S.; authorizing establishment of  
11 tobacco-use standards; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Subsection (6) of section 943.13, Florida  
16 Statutes, is amended to read:

17 943.13 Officers' minimum qualifications for employment or  
18 appointment.--On or after October 1, 1984, any person employed  
19 or appointed as a full-time, part-time, or auxiliary law  
20 enforcement officer or correctional officer; on or after October  
21 1, 1986, any person employed as a full-time, part-time, or  
22 auxiliary correctional probation officer; and on or after  
23 October 1, 1986, any person employed as a full-time, part-time,

HB 237

2006  
CS

24 | or auxiliary correctional officer by a private entity under  
 25 | contract to the Department of Corrections, to a county  
 26 | commission, or to the Department of Management Services shall:

27 |       (6) (a) Have passed a physical examination by a licensed  
 28 | physician, physician assistant, or certified advanced registered  
 29 | nurse practitioner, based on specifications established by the  
 30 | commission.

31 |       (b) In order to be eligible for the presumption set forth  
 32 | in s. 112.18 while employed as a law enforcement officer,  
 33 | correctional officer, or correctional probation officer with an  
 34 | employing agency, have successfully passed the physical  
 35 | examination required by paragraph (a) upon entering into service  
 36 | as a law enforcement officer, correctional officer, or  
 37 | correctional probation officer with the employing agency, which  
 38 | examination must have failed to reveal any evidence of  
 39 | tuberculosis, heart disease, or hypertension. In no event may a  
 40 | law enforcement officer, correctional officer, or correctional  
 41 | probation officer use a physical examination from a former  
 42 | employing agency for purposes of claiming the presumption set  
 43 | forth in s. 112.18 against the current employing agency.

44 |       Section 2. Subsection (1) of section 943.137, Florida  
 45 | Statutes, is amended to read:

46 |       943.137 Establishment of qualifications and standards  
 47 | above the minimum.--

48 |       (1) Nothing herein may be construed to preclude an  
 49 | employing agency from establishing qualifications and standards  
 50 | for employment, appointment, training, or promotion of officers

HB 237

2006  
CS

51 | that exceed the minimum requirements set by ss. 943.13 and  
52 | 943.17, including establishing tobacco-use standards.

53 |       Section 3. This act shall take effect October 1, 2006.