

By Senator Bennett

21-1489-07

See HB 607

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A bill to be entitled

An act relating to workers' compensation;  
amending s. 440.092, F.S.; providing special  
requirements for compensability relating to  
deviation from employment and subsequent  
intervening accidents; providing an effective  
date.

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

Section 1. Subsection (3) of section 440.092, Florida  
Statutes, is amended to read:

440.092 Special requirements for compensability;  
deviation from employment; subsequent intervening accidents.--

(3) DEVIATION FROM EMPLOYMENT.--

(a) An employee who is injured while deviating from  
the course of employment, whether the employee leaves or  
remains on ~~including leaving~~ the employer's premises, is not  
eligible for benefits unless such deviation is ~~expressly~~  
~~approved by the employer, or unless such deviation or act is~~  
in response to an emergency and designed to save life or  
property.

(b) For purposes of this subsection, an employee  
deviates from the course of employment when the employee:

1. Acts in a manner not directly related to the  
employee's work duties; or

2. Acts in furtherance of the employee's personal  
interests.

(c) An injury sustained during a deviation from the  
course of employment shall not be deemed compensable even  
where such deviation is of short duration. This includes

1 deviations where such deviation represents an inherently  
2 dangerous act on the part of the employee.

3           Section 2. This act shall take effect July 1, 2007.  
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