By Senator Baker

20-487-07

A bill to be entitled 2 An act relating to employment requirements for law enforcement personnel; amending s. 943.13, 3 F.S.; revising the presumption of disability 4 5 for certain law enforcement, correctional, and 6 correctional probation officers; amending s. 7 943.137, F.S.; authorizing an agency that 8 employs law enforcement personnel to establish tobacco-use standards; providing an effective 9 10 date. 11 12 Be It Enacted by the Legislature of the State of Florida: 13 Section 1. Subsection (6) of section 943.13, Florida 14 Statutes, is amended to read: 15 943.13 Officers' minimum qualifications for employment 16 17 or appointment. -- On or after October 1, 1984, any person employed or appointed as a full-time, part-time, or auxiliary 18 law enforcement officer or correctional officer; on or after 19 October 1, 1986, any person employed as a full-time, 20 part-time, or auxiliary correctional probation officer; and on 2.1 22 or after October 1, 1986, any person employed as a full-time, 23 part-time, or auxiliary correctional officer by a private entity under contract to the Department of Corrections, to a 2.4 county commission, or to the Department of Management Services 25 shall: 26 27 (6) Have passed a physical examination by a licensed physician, physician assistant, or certified advanced 29 registered nurse practitioner, based on specifications established by the commission. In order to be eliqible for the 30 presumption set forth in s. 112.18 while employed with an

1	employing agency, a law enforcement officer, correctional
2	officer, or correctional probation officer must have
3	successfully passed the physical examination required by
4	paragraph (a) upon entering into service as a law enforcement
5	officer, correctional officer, or correctional probation
6	officer with the employing agency, which examination must have
7	failed to reveal any evidence of tuberculosis, heart disease,
8	or hypertension. A law enforcement officer, correctional
9	officer, or correctional probation officer may not use a
10	physical examination from a former employing agency for
11	purposes of claiming the presumption set forth in s. 112.18
12	against the current employing agency.
13	Section 2. Subsection (1) of section 943.137, Florida
14	Statutes, is amended to read:
15	943.137 Establishment of qualifications and standards
16	above the minimum
17	(1) Nothing herein may be construed to preclude an
18	employing agency from establishing qualifications and
19	standards for employment, appointment, training, or promotion
20	of officers that exceed the minimum requirements set by ss.
21	943.13 and 943.17, including establishing tobacco-use
22	standards.
23	Section 3. This act shall take effect October 1, 2007.
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26	SENATE SUMMARY
27	Requires a law enforcement officer, correctional officer,
28	or correctional probation officer to have successfully passed a physical examination in order to presumptively
29	claim that his or her tuberculosis, heart disease, or hypertension resulting in total or partial disability or death was assidental and suffered in the line of duty.
30	death was accidental and suffered in the line of duty. Authorizes an agency that employs law enforcement personnel to establish standards regarding the use of
31	personnel to establish standards regarding the use of tobacco.