

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
29 passed a physical examination in order to presumptively
30 claim that his or her tuberculosis, heart disease, or
31 hypertension resulting in total or partial disability or
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
tobacco.