

1 A bill to be entitled
 2 An act relating to employment requirements for law
 3 enforcement personnel; amending s. 943.13, F.S.; revising
 4 the presumption of disability for certain law enforcement,
 5 correctional, and correctional probation officers;
 6 amending s. 943.137, F.S.; authorizing an agency that
 7 employs law enforcement personnel to establish tobacco-use
 8 standards; providing an effective date.

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

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 12 Section 1. Subsection (6) of section 943.13, Florida
 13 Statutes, is amended to read:

14 943.13 Officers' minimum qualifications for employment or
 15 appointment.--On or after October 1, 1984, any person employed
 16 or appointed as a full-time, part-time, or auxiliary law
 17 enforcement officer or correctional officer; on or after October
 18 1, 1986, any person employed as a full-time, part-time, or
 19 auxiliary correctional probation officer; and on or after
 20 October 1, 1986, any person employed as a full-time, part-time,
 21 or auxiliary correctional officer by a private entity under
 22 contract to the Department of Corrections, to a county
 23 commission, or to the Department of Management Services shall:

24 (6) Have passed a physical examination by a licensed
 25 physician, physician assistant, or certified advanced registered
 26 nurse practitioner, based on specifications established by the
 27 commission. In order to be eligible for the presumption set
 28 forth in s. 112.18 while employed with an employing agency, a

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29 law enforcement officer, correctional officer, or correctional
30 probation officer must have successfully passed the physical
31 examination required by this subsection upon entering into
32 service as a law enforcement officer, correctional officer, or
33 correctional probation officer with the employing agency, which
34 examination must have failed to reveal any evidence of
35 tuberculosis, heart disease, or hypertension. A law enforcement
36 officer, correctional officer, or correctional probation officer
37 may not use a physical examination from a former employing
38 agency for purposes of claiming the presumption set forth in s.
39 112.18 against the current employing agency.

40 Section 2. Subsection (1) of section 943.137, Florida
41 Statutes, is amended to read:

42 943.137 Establishment of qualifications and standards
43 above the minimum.--

44 (1) Nothing herein may be construed to preclude an
45 employing agency from establishing qualifications and standards
46 for employment, appointment, training, or promotion of officers
47 that exceed the minimum requirements set by ss. 943.13 and
48 943.17, including establishing tobacco-use standards.

49 Section 3. This act shall take effect October 1, 2007.