

1 A bill to be entitled
 2 An act relating to workers' compensation; amending s.
 3 440.092, F.S.; providing special requirements for
 4 compensability relating to deviation from employment and
 5 subsequent intervening accidents; providing an effective
 6 date.

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 8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. Subsection (3) of section 440.092, Florida
 11 Statutes, is amended to read:

12 440.092 Special requirements for compensability; deviation
 13 from employment; subsequent intervening accidents.--

14 (3) DEVIATION FROM EMPLOYMENT.--

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

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

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

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

27 (c) An injury sustained during a deviation from the course
 28 of employment shall not be deemed compensable even where such

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29 deviation is of short duration. This includes deviations where
30 such deviation represents an inherently dangerous act on the
31 part of the employee.

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