

1 A bill to be entitled
 2 An act relating to disabled employees; creating s.
 3 768.097, F.S.; providing that an employer may not be held
 4 liable for the acts or omissions of a disabled employee in
 5 certain circumstances; providing an effective date.

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

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 9 Section 1. Section 768.097, Florida Statutes, is created
 10 to read:

11 768.097 Employer liability; disabled employees.--An
 12 employer employing a person with a disability or disabilities,
 13 as defined in 42 U.S.C. s. 12102, as amended by the ADA
 14 Amendments Act of 2008, Pub. L. No. 110-325, may not be held
 15 liable for the acts or omissions, negligent or intentional, of
 16 the employee when:

17 (1) The employee has received supported employment
 18 services through a public or private not-for-profit provider;

19 (2) The employer has relied in good faith on the
 20 information provided by the supported employment service
 21 provider regarding the supported employee; and

22 (3) The employer does not have prior actual notice of the
 23 employee's propensity for the actions at issue.

24 Section 2. This act shall take effect upon becoming a law.