

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Zapata offered the following:

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3 **Amendment to Amendment (311091) (with title amendment)**

4 Between lines 177 and 178, insert:

5 Section 4. Section 768.0985, Florida Statutes, is created
6 to read:

7 768.0985 Limitation of liability for employers of persons
8 with disabilities.--

9 (1) An employer employing a person with a developmental
10 disability as defined in s. 393.063 is not liable for the acts
11 or omissions, negligent or intentional, of the employee, if:

12 (a) The employee has received supported employment
13 services through a public or private not-for-profit provider;
14 and

15 (b) The employer does not have actual notice of actions of
16 the employee which create unsafe conditions in the workplace.

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17 (2) A not-for-profit supported employment service provider
18 that has provided supported employment services to an individual
19 with a disability, as defined in s. 393.063, shall not be liable
20 for the actions or conduct of the individual occurring within
21 the scope of such individual's employment.

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25 **T I T L E A M E N D M E N T**

26 Remove lines 186-198 and insert:

27 An act relating to persons with disabilities; amending
28 s. 393.23, F.S.; revising purposes of expenditures of
29 moneys deposited in the trust accounts of
30 developmental disabilities centers; amending s.
31 393.0661, F.S.; revising provisions relating to
32 services provided to certain clients with
33 developmental disabilities served under the four-
34 tiered waiver system; revising provisions relating to
35 the calculation of annualized expenditures; deleting
36 future review and repeal of s. 393.0661(6), F.S.,
37 relating to cost plans for individuals served by the
38 home and community-based services waiver or the family
39 and supported living waiver funded through the Agency
40 for Persons with Disabilities; creating s. 768.0985,
41 F.S.; providing an exemption from liability for
42 certain employers of persons with disabilities under
43 certain circumstances;

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