

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Zapata offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 190 and 191, 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 supported employment provider is not liable for the
18 acts or omissions, negligent or intentional, of a person with a
19 developmental disability as defined in s. 393.063 who receives
20 supported employment services from that provider, if:

21 (a) The supported employment provider has provided
22 training and supervision in a reasonable and prudent fashion;
23 and

24 (b) To the extent legally permissible, the supported
25 employment provider or its representative has provided
26 information which is relevant to the employment placement.

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

30 Remove lines 2-14 and insert:

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

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HOUSE AMENDMENT

Bill No. HB 5111

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45 | employers of persons with disabilities under certain
46 | circumstances;

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