

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Zapata offered the following:

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3 **Substitute Amendment for Amendment (149971) (with title**  
4 **amendment)**

5 Between lines 190 and 191, insert:

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

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

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

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

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Amendment No.

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

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

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

27 Remove lines 2-14 and insert:

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

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