

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Abruzzo offered the following:
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3 **Amendment (with title amendment)**

4 Between lines 17 and 18, insert:

5 Section 1. Subsection (2) of section 440.092, Florida
6 Statutes, is amended to read:

7 440.092 Special requirements for compensability; deviation
8 from employment; subsequent intervening accidents.—

9 (2) GOING OR COMING.—An injury suffered while going to or
10 coming from work is not an injury arising out of and in the
11 course of employment whether or not the employer provided
12 transportation if such means of transportation was available for
13 the exclusive personal use by the employee, unless the employee
14 was engaged in a special errand or mission for the employer. For
15 the purposes of this subsection and notwithstanding any other
16 provisions of law to the contrary, an injury to a law

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17 enforcement officer as defined in s. 943.10(1), during the
18 officer's work period or while going to or coming from work in
19 an official law enforcement vehicle, shall be presumed to be an
20 injury arising out of and in the course of employment, and the
21 officer shall be deemed to have been on duty, unless the injury
22 occurred during a distinct deviation for a nonessential personal
23 errand. If, however, the employer's policy or the collective
24 bargaining agreement that applies to the officer permits such
25 deviations for nonessential errands, the injury shall be
26 presumed to arise out of and in the course of employment.

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

31 Remove lines 2-3 and insert:

32 An act relating to workers' compensation; amending s. 440.092,
33 F.S.; clarifying certain activities of law enforcement officers
34 as arising out of and in the course of employment for
35 compensability purposes; creating s. 440.094, F.S.;