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LEGISLATIVE ACTION

Senate

House

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Floor: 3/AD/2R

04/24/2013 11:30 AM

Senator Simmons moved the following:

Senate Amendment

Delete lines 3587 - 3726

and insert:

(4)~~(2)~~ The division shall issue a firefighter certificate of compliance to an any individual who does all of the following:

(a) person Satisfactorily completes ~~complying with~~ the Minimum Standards Course or who has satisfactorily completed training for firefighters in another state which has been determined by the division to be at least the equivalent of the training required for the Minimum Standards Course.

(b) Passes the Minimum Standards Course examination.



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14 ~~training program established in subsection (1), who has~~
15 ~~successfully passed an examination as prescribed by the~~
16 ~~division, and~~

17 ~~(c) who Possesses the qualifications for employment in s.~~
18 ~~633.412 633.34, except s. 633.34(5).~~

19 ~~(5) The division shall issue a Volunteer Firefighter~~
20 ~~Certificate of Completion to any individual who satisfactorily~~
21 ~~completes the course established under paragraph (1)(b) No~~
22 ~~person may be employed as a regular or permanent firefighter by~~
23 ~~an employing agency, or by a private entity under contract with~~
24 ~~the state or any political subdivision of the state, including~~
25 ~~authorities and special districts, for a period of time in~~
26 ~~excess of 1 year from the date of initial employment until he or~~
27 ~~she has obtained such certificate of compliance. A person who~~
28 ~~does not hold a certificate of compliance and is employed under~~
29 ~~this section may not directly engage in hazardous operations,~~
30 ~~such as interior structural firefighting and hazardous-~~
31 ~~materials-incident mitigation, requiring the knowledge and~~
32 ~~skills taught in a training program established in subsection~~
33 ~~(1). However, a person who has served as a volunteer firefighter~~
34 ~~with the state or any political subdivision of the state,~~
35 ~~including authorities and special districts, who is then~~
36 ~~employed as a regular or permanent firefighter may function,~~
37 ~~during this period, in the same capacity in which he or she~~
38 ~~acted as a volunteer firefighter, provided that he or she has~~
39 ~~completed all training required by the volunteer organization.~~

40 ~~(3) The division may issue a certificate to any person who~~
41 ~~has received basic employment training for firefighters in~~
42 ~~another state when the division has determined that such~~



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43 ~~training was at least equivalent to that required by the~~
44 ~~division for approved firefighter education and training~~
45 ~~programs in this state and when such person has satisfactorily~~
46 ~~complied with all other requirements of this section.~~

47 (6) (a) The division may ~~also~~ issue a Special Certificate of
48 Compliance to an individual ~~a person~~ who does all of the
49 following:

50 1. Satisfactorily completes the course established in
51 paragraph (1) (b) to obtain a Special Certificate of Compliance.

52 2. Passes the examination established in paragraph (1) (b)
53 to obtain a Special Certificate of Compliance.

54 3. Possesses the qualifications in s. 633.412 ~~is otherwise~~
55 ~~qualified under this section and who is employed as the~~
56 ~~administrative and command head of a fire/rescue/emergency~~
57 ~~services organization, based on the acknowledgment that such~~
58 ~~person is less likely to need physical dexterity and more likely~~
59 ~~to need advanced knowledge of firefighting and supervisory~~
60 ~~skills.~~

61 (b) A Special ~~The~~ Certificate of Compliance ~~is valid only~~
62 authorizes an individual to serve ~~while the person is serving in~~
63 ~~a position~~ as an administrative and command head of a fire
64 service provider ~~fire/rescue/emergency services organization.~~

65 (7) (4) An individual ~~A person~~ who fails an examination
66 given under this section may retake the examination once within
67 6 months after the original examination date. If the individual
68 ~~An applicant who~~ does not retake the examination or fails the
69 reexamination within such time, the individual must take the
70 Minimum Standards Course for a Firefighter Certificate of
71 Compliance or the course established under paragraph (1) (b) for



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72 a Special Certificate of Compliance, ~~pursuant to subsection (1),~~
73 before being reexamined. The division may grant an extension of
74 the 6-month period based upon documented medical necessity and
75 may establish reasonable preregistration deadlines for ~~such~~
76 reexaminations.

77 ~~(8)(5)~~ Pursuant to s. 590.02(1)(e), the division shall
78 establish a structural fire training program of not less than
79 206 ~~40~~ hours. The division shall issue to a ~~any~~ person
80 satisfactorily complying with this training program and who has
81 successfully passed an examination as prescribed by the division
82 and who has met the requirements of s. 590.02(1)(e), a Forestry
83 Certificate of Compliance ~~Certificate of Forestry Firefighter~~.

84 ~~(6)~~ An individual who holds a current and valid Forestry
85 Certificate of Compliance ~~A certified forestry firefighter~~ is
86 entitled to the same rights, privileges, and benefits provided
87 for by law as a ~~certified~~ firefighter.

88 Section 60. Section 633.34, Florida Statutes, is
89 transferred, renumbered as section 633.412, Florida Statutes,
90 and amended to read:

91 633.412 ~~633.34~~ Firefighters; qualifications for
92 certification ~~employment~~.

93 (1) ~~Any~~ person applying for certification ~~employment~~ as a
94 firefighter must:

95 (a)(1) Be a high school graduate or the equivalent, as the
96 term may be determined by the division, and at least 18 years of
97 age.

98 (b)(2) ~~Not~~ Neither have been convicted of a misdemeanor
99 relating to the certification or to perjury or false statements,
100 or a felony or a crime punishable by imprisonment of 1 year or



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101 more under the law of the United States or of any state thereof
102 or under the law of any other country, or dishonorably
103 discharged from any of the Armed Forces of the United States.

104 "Convicted" means a finding of guilt or the acceptance of a plea
105 of guilty or nolo contendere, in any federal or state court or a
106 court in any other country, without regard to whether a judgment
107 of conviction has been entered by the court having jurisdiction
108 of the case ~~felony or of a misdemeanor directly related to the~~
109 ~~position of employment sought, nor have pled nolo contendere to~~
110 ~~any charge of a felony. If an applicant has been convicted of a~~
111 ~~felony, such applicant must be in compliance with s.~~

112 ~~112.011(2) (b). If an applicant has been convicted of a~~
113 ~~misdemeanor directly related to the position of employment~~
114 ~~sought, such applicant shall be excluded from employment for a~~
115 ~~period of 4 years after expiration of sentence. If the sentence~~
116 ~~is suspended or adjudication is withheld in a felony charge or~~
117 ~~in a misdemeanor directly related to the position or employment~~
118 ~~sought and a period of probation is imposed, the applicant must~~
119 ~~have been released from probation.~~

120 (c) (3) Submit fingerprints ~~a fingerprint card~~ to the
121 division with a current processing fee. The fingerprints
122 ~~fingerprint card~~ will be forwarded to the Department of Law
123 Enforcement for state processing and forwarded by the Department
124 of Law Enforcement to ~~and/or~~ the Federal Bureau of Investigation
125 for national processing.

126 (d) (4) Have a good moral character as determined by
127 investigation under procedure established by the division.

128 (e) (5) Be in good physical condition as determined by a
129 medical examination given by a physician, surgeon, or physician



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130 assistant licensed to practice in the state pursuant to chapter
131 458; an osteopathic physician, surgeon, or physician assistant
132 licensed to practice in the state pursuant to chapter 459; or an
133 advanced registered nurse practitioner licensed to practice in
134 the state pursuant to chapter 464. Such examination may include,
135 but need not be limited to, ~~provisions of~~ the National Fire
136 Protection Association Standard 1582. A medical examination
137 evidencing good physical condition shall be submitted to the
138 division, on a form as provided by rule, before an individual is
139 eligible for admission into a course under ~~firefighter training~~
140 ~~program as defined in s. 633.408~~ 633.35.

141 (f) ~~(6)~~ Be a nonuser of tobacco or tobacco products for at
142 least 1 year immediately preceding application, as evidenced by
143 the sworn affidavit of the applicant.

144 (2) If the division suspends or revokes an individual's
145 certificate, the division must suspend or revoke all other
146 certificates issued to the individual by the division pursuant
147 to this part.