

By Senator Dean

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1 A bill to be entitled
2 An act relating to volunteer firefighting; amending s.
3 633.102, F.S.; redefining the term "volunteer
4 firefighter" to include an individual who provides
5 fire extinguishment or fire prevention services for a
6 municipality or county with a specified population;
7 creating s. 633.103, F.S.; specifying that the
8 provisions of the chapter and rules of the Division of
9 State Fire Marshal relating to fire standards and
10 training and the Florida Firefighters Occupational
11 Safety and Health Act do not apply to a fire service
12 provider or firefighter employer that is a
13 municipality or county with a specified population if
14 utilizing a volunteer firefighter or volunteer fire
15 department, and do not apply to a volunteer
16 firefighter who is being utilized by such a provider
17 or an employer; reenacting s. 627.4107, F.S., relating
18 to the prohibition against the cancellation of a life
19 or health policy or certificate for a government
20 employee exposed to toxic drug chemicals, to
21 incorporate the amendment made to s. 633.102, F.S., in
22 a reference thereto; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Subsection (35) of section 633.102, Florida
27 Statutes, is amended to read:

28 633.102 Definitions.—As used in this chapter, the term:
29 (35) "Volunteer firefighter" means an individual who holds

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30 a current and valid Volunteer Firefighter Certificate of
31 Completion issued by the division under s. 633.408 or who
32 provides fire extinguishment or fire prevention services,
33 individually or through a volunteer fire department, for a
34 municipality with a population less than 12,000 or a county with
35 a population less than 175,000.

36 Section 2. Section 633.103, Florida Statutes, is created to
37 read:

38 633.103 Applicability to small municipalities and
39 counties.—Parts IV and V of this chapter and rules adopted by
40 the division pursuant to those parts do not apply to:

41 (1) A fire service provider or firefighter employer as
42 defined under part V of this chapter if the provider or employer
43 is utilizing a volunteer firefighter or volunteer fire
44 department and is a municipality with a population less than
45 12,000 or a county with a population less than 175,000.

46 (2) A volunteer firefighter who is utilized by an employer
47 or a provider described under subsection (1).

48 Section 3. For the purpose of incorporating the amendment
49 made by this act to section 633.102, Florida Statutes, in a
50 reference thereto, section 627.4107, Florida Statutes, is
51 reenacted to read:

52 627.4107 Government employees exposed to toxic drug
53 chemicals; cancellation of life or health policy or certificate
54 prohibited.—No life or health insurer may cancel or nonrenew a
55 life or health insurance policy or certificate of insurance
56 providing coverage to a state or local law enforcement officer
57 as defined in s. 943.10, firefighter as defined in s. 633.102,
58 emergency medical technician as defined in s. 401.23, or

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59 paramedic as defined in s. 401.23, a volunteer firefighter as
60 defined in s. 633.102 engaged by state or local government, a
61 law enforcement officer employed by the Federal Government, or
62 any other local, state, or Federal Government employee solely
63 based on the fact that the individual has been exposed to toxic
64 chemicals or suffered injury or disease as a result of the
65 individual's lawful duties arising out of the commission of a
66 violation of chapter 893 by another person. This section does
67 not apply to a person who commits an offense under chapter 893.
68 This section does not prohibit an insurer from canceling or
69 nonrenewing an insurance policy or certificate, as permitted
70 under the applicable state insurance code, based on an act or
71 practice of the policyholder or certificateholder that
72 constitutes fraud or intentional misrepresentation of material
73 fact by the policyholder or certificateholder.

74 Section 4. This act shall take effect July 1, 2015.