

By Senator Dean

5-00274A-16

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1                   A bill to be entitled  
2       An act relating to volunteer rural firefighting;  
3       amending s. 633.102, F.S.; defining the term  
4       "volunteer rural firefighter"; amending s. 633.406,  
5       F.S.; authorizing the Division of State Fire Marshal  
6       within the Department of Financial Services to award a  
7       Volunteer Rural Firefighter Certificate of Completion;  
8       amending s. 633.408, F.S.; requiring the division to  
9       establish by rule courses and course examinations to  
10      provide training required to obtain the certificate;  
11      providing requirements for the courses for the  
12      certificate; requiring the division to award credit  
13      for certain approved courses successfully completed by  
14      a certain date; amending s. 633.414, F.S.; specifying  
15      the requirements for the retention of the certificate;  
16      amending s. 633.416, F.S.; revising the circumstances  
17      under which a fire service provider may retain the  
18      services of a volunteer firefighter; requiring a fire  
19      service provider to provide notice to the division  
20      regarding a decision to retain or not retain a  
21      volunteer rural firefighter; providing an effective  
22      date.

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

25  
26       Section 1. Subsection (36) is added to section 633.102,  
27 Florida Statutes, to read:

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

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30 holds a current and valid Volunteer Rural Firefighter  
31 Certificate of Completion issued by the division under s.  
32 633.408 and provides fire extinguishment or fire prevention  
33 services through a fire service provider that:

34 (a) Is in existence on July 1, 2016, or that was in  
35 existence at any time between July 1, 2000, and July 1, 2016,  
36 and is subsequently reestablished after July 1, 2016; and

37 (b) Provides services in a municipality with a population  
38 of fewer than 12,000 or a county with a population of fewer than  
39 150,000.

40 Section 2. Paragraph (h) is added to subsection (1) of  
41 section 633.406, Florida Statutes, to read:

42 633.406 Classes of certification.—

43 (1) The division may award one or more of the following  
44 certificates:

45 (h) Volunteer Rural Firefighter Certificate of Completion.—  
46 A Volunteer Rural Firefighter Certificate of Completion may be  
47 awarded to a person who has satisfactorily completed the  
48 training requirements as prescribed by rule for a volunteer  
49 rural firefighter.

50 Section 3. Present paragraph (c) of subsection (1) of  
51 section 633.408, Florida Statutes, is redesignated as paragraph  
52 (d), a new paragraph (c) is added to that subsection, and  
53 subsection (5) of that section is amended, to read:

54 633.408 Firefighter and volunteer firefighter training and  
55 certification.—

56 (1) The division shall establish by rule:

57 (c) Courses and course examinations to provide training  
58 required to obtain a Volunteer Rural Firefighter Certificate of

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59 Completion. The required courses may not exceed 160 hours and  
60 must include emergency medical responder training. The division  
61 shall award credit toward a certificate under this paragraph, as  
62 provided by rule adopted by the division, for any approved  
63 course successfully completed on or after July 1, 1970, which  
64 was creditable at the time of completion toward a certification  
65 under this chapter.

66 (5) The division shall issue:

67 (a) A Volunteer Firefighter Certificate of Completion to  
68 any individual who satisfactorily completes the course  
69 established under paragraph (1) (b).

70 (b) A Volunteer Rural Firefighter Certificate of Completion  
71 to any individual who satisfactorily completes the course  
72 established under paragraph (1) (c).

73 Section 4. Present subsections (3), (4), and (5) of section  
74 633.414, Florida Statutes, are redesignated as subsections (4),  
75 (5), and (6), respectively, a new subsection (3) is added to  
76 that section, and present subsection (4) is amended, to read:

77 633.414 Retention of firefighter certification.—

78 (3) In order for a volunteer rural firefighter to retain  
79 her or his Volunteer Rural Firefighter Certificate of  
80 Completion, every 4 years he or she must:

81 (a) Be active as a volunteer rural firefighter; or

82 (b) Successfully complete a refresher course consisting of  
83 a minimum of 40 hours of training as prescribed by rule.

84 (5) ~~(4)~~ For the purposes of this section, the term "active"  
85 means being employed as a firefighter or providing service as a  
86 volunteer firefighter or volunteer rural firefighter for a  
87 cumulative 6 months within a 4-year period.

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88 Section 5. Subsection (2) and paragraph (a) of subsection  
89 (4) of section 633.416, Florida Statutes, are amended to read:  
90 633.416 Firefighter employment and volunteer firefighter  
91 service; saving clause.—

92 (2) A fire service provider may ~~not~~ retain the services of  
93 an individual volunteering to extinguish fires for the  
94 protection of life or property or to supervise individuals who  
95 perform such services only if:

96 (a) unless The individual holds a current and valid  
97 Volunteer Firefighter Certificate of Completion; or

98 (b) The services will be performed in a municipality with a  
99 population of fewer than 12,000 or a county with a population of  
100 fewer than 150,000 and the individual holds a current and valid  
101 Volunteer Rural Firefighter Certificate of Completion or a  
102 current and valid Volunteer Firefighter Certificate of  
103 Completion.

104  
105 This subsection does not apply to a volunteer who provides only  
106 support services.

107 (4) (a) A fire service provider must notify the division  
108 electronically, as directed by rule by the division, within 10  
109 days after:

110 1. The hiring of a firefighter.

111 2. The retention of a volunteer firefighter or a volunteer  
112 rural firefighter.

113 3. The cessation of employment of a firefighter.

114 4. A decision not to retain a volunteer firefighter or a  
115 volunteer rural firefighter.

116 Section 6. This act shall take effect July 1, 2016.