



682522

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2020	.	
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	.	
	.	

The Committee on Rules (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 111.09, Florida Statutes, is created to
read:

111.09 Peer-to-peer support for first responders.-

(1) For purposes of this section, the term:

(a) "First responder" has the same meaning as provided in
s. 112.1815 and includes public safety communications officers,
dispatchers, 911 public safety telecommunicators as defined in



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12 s. 401.465 whose job duties include providing support or
13 services to first responders, and correctional officers and
14 correctional probation officers as defined in s. 943.10.

15 (b) "First responder peer" means a person who:

16 1. Is not a health care practitioner as defined in s.
17 456.001.

18 2. Has experience working as or with a first responder
19 regarding any physical or emotional conditions or issues
20 associated with the first responder's employment.

21 (c) "Peer support communication" means one or more oral
22 communications, made with a mutual expectation of
23 confidentiality while the first responder peer is providing peer
24 support in his or her official capacity, between a first
25 responder and a first responder peer for the purpose of
26 discussing physical or emotional conditions or issues associated
27 with being a first responder.

28 (2) A first responder peer may not divulge a peer support
29 communication or testify in any civil, criminal, administrative,
30 or disciplinary proceeding, except when any of the following
31 occur:

32 (a) The first responder peer is a defendant in a civil, a
33 criminal, an administrative, or a disciplinary proceeding
34 arising from a complaint filed by the first responder, in which
35 case such information may be divulged but is limited to the
36 scope of the proceeding.

37 (b) The first responder agrees, in writing, to allow the
38 first responder peer to testify about or divulge information
39 related to the peer-to-peer support.

40 (c) The communications by the first responder cause the



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41 first responder peer to suspect that the first responder has
42 committed a criminal act. There is no liability on the part of,
43 and no cause of action of any nature may arise against, a first
44 responder peer for disclosing information under this paragraph.

45 (d) There are articulable facts or circumstances that would
46 lead a reasonable, prudent person to fear for the safety of the
47 first responder, another person, or society, and the first
48 responder peer communicates the information only to the
49 potential victims, appropriate family members, or law
50 enforcement or other appropriate authorities. There is no
51 liability on the part of, and no cause of action of any nature
52 may arise against, a first responder peer for disclosing
53 information under this paragraph.

54 (3) A first responder peer who divulges information in
55 violation of this section is subject to disciplinary action by
56 the appropriate licensing agency. Information improperly
57 divulged in violation of this section is inadmissible in any
58 criminal, civil, administrative, or disciplinary proceeding.

59 (4) This section does not limit the disclosure, discovery,
60 or admissibility of information, testimony, or evidence that is
61 obtained by a first responder peer from a source other than a
62 peer support communication.

63 Section 2. This act shall take effect July 1, 2020.

64
65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete everything before the enacting clause
68 and insert:

69 A bill to be entitled



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70 An act relating to peer-to-peer support for first
71 responders; creating s. 111.09, F.S.; defining terms;
72 prohibiting a first responder peer from testifying or
73 divulging specified information except under certain
74 circumstances; providing that there is no liability on
75 the part of, and no cause of action against, a first
76 responder peer for disclosing certain information;
77 providing that a first responder peer who violates the
78 act is subject to disciplinary action; providing that
79 certain information improperly divulged is
80 inadmissible in criminal, civil, administrative, and
81 disciplinary proceedings; providing construction;
82 providing an effective date.