

1                                   A bill to be entitled  
 2           An act relating to records of physical examinations of  
 3           officers; amending s. 943.13, F.S.; requiring an  
 4           employing agency to maintain records of employee  
 5           physical examinations for a specified period; creating  
 6           a presumption if records are destroyed before that  
 7           period has elapsed; providing an effective date.

8

9   Be It Enacted by the Legislature of the State of Florida:

10

11           Section 1. Subsection (6) of section 943.13, Florida  
 12           Statutes, is amended to read:

13           943.13 Officers' minimum qualifications for employment or  
 14           appointment.—On or after October 1, 1984, any person employed or  
 15           appointed as a full-time, part-time, or auxiliary law  
 16           enforcement officer or correctional officer; on or after October  
 17           1, 1986, any person employed as a full-time, part-time, or  
 18           auxiliary correctional probation officer; and on or after  
 19           October 1, 1986, any person employed as a full-time, part-time,  
 20           or auxiliary correctional officer by a private entity under  
 21           contract to the Department of Corrections, to a county  
 22           commission, or to the Department of Management Services shall:

23           (6) (a) Have passed a physical examination by a licensed  
 24           physician, physician assistant, or licensed advanced practice  
 25           registered nurse, based on specifications established by the

26 | commission. In order to be eligible for the presumption set  
27 | forth in s. 112.18 while employed with an employing agency, a  
28 | law enforcement officer, correctional officer, or correctional  
29 | probation officer must have successfully passed the physical  
30 | examination required by this subsection upon entering into  
31 | service as a law enforcement officer, correctional officer, or  
32 | correctional probation officer with the employing agency, which  
33 | examination must have failed to reveal any evidence of  
34 | tuberculosis, heart disease, or hypertension. A law enforcement  
35 | officer, correctional officer, or correctional probation officer  
36 | may not use a physical examination from a former employing  
37 | agency for purposes of claiming the presumption set forth in s.  
38 | 112.18 against the current employing agency.

39 | (b) The employing agency must maintain records of the  
40 | physical examination for at least 5 years after the employee's  
41 | separation from the employing agency. If the employing agency  
42 | fails to maintain the records of the physical examination for  
43 | the 5-year period after the employee's separation, it is  
44 | presumed that the employee has met the requirement of paragraph  
45 | (a).

46 | Section 2. This act shall take effect July 1, 2022.