

By Senator DiCeglie

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1                   A bill to be entitled  
2       An act relating to firefighter health and safety;  
3       amending s. 633.506, F.S.; revising legislative  
4       intent; amending s. 633.508, F.S.; requiring the  
5       Division of State Fire Marshal within the Department  
6       of Financial Services to adopt certain rules;  
7       requiring the division to assist in decreasing the  
8       frequency and severity of occupational illnesses and  
9       fatalities; amending s. 633.520, F.S.; requiring the  
10      division to adopt rules relating to mental health best  
11      practices; amending ss. 633.522 and 633.526, F.S.;  
12      conforming provisions to changes made by the act;  
13      providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17       Section 1. Section 633.506, Florida Statutes, is amended to  
18      read:

19       633.506 Legislative intent.—It is the intent of the  
20      Legislature to enhance firefighter occupational safety and  
21      health in this ~~the~~ state through the implementation and  
22      maintenance of policies, procedures, practices, rules, work  
23      schedules, and standards that reduce the incidence of  
24      firefighter employee accidents, firefighter employee  
25      occupational diseases, and firefighter employee fatalities  
26      compensable under chapter 112, chapter 440, or otherwise. The  
27      Legislature further intends that the division develop a means by  
28      which the division can identify individual firefighter employers  
29      with a high frequency or severity of work-related injuries,

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30 occupational illnesses, or suicide; conduct safety inspections  
31 of those firefighter employers;~~;~~ and assist those firefighter  
32 employers in the development and implementation of firefighter  
33 employee safety and health programs. In addition, it is the  
34 intent of the Legislature that the division administer and  
35 enforce this part; provide assistance to firefighter employers,  
36 firefighter employees, and insurers; and enforce the policies,  
37 rules, and standards set forth in this part.

38 Section 2. Present subsection (7) of section 633.508,  
39 Florida Statutes, is redesignated as subsection (8), a new  
40 subsection (7) is added to that section, and subsection (1) and  
41 paragraph (a) of present subsection (7) are amended, to read:

42 633.508 Workplace safety; rulemaking authority; division  
43 authority.—

44 (1) The division shall assist in making the firefighter  
45 employee place of employment a safer place to work and  
46 decreasing the frequency and severity of on-the-job injuries,  
47 occupational illnesses, and fatalities in such workplace.

48 (7) The division shall adopt rules relating to all of the  
49 following:

50 (a) Requiring firefighter employers to issue firefighting  
51 gear that does not contain chemical hazards or toxic substances  
52 when such gear becomes readily available on the commercial  
53 market.

54 (b) Requiring firefighter employers that issue firefighting  
55 gear that contains or is manufactured with chemical hazards or  
56 toxic substances to provide their firefighter employees notice  
57 that the firefighting gear issued contains or is manufactured  
58 with chemical hazards or toxic substances.

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59           (c) Encouraging firefighter employers to implement work  
60 schedules that do not require a firefighter employee's normally  
61 scheduled shifts to exceed 42 hours per workweek.

62           ~~(8)(7)~~ The department shall:

63           (a) Investigate and prescribe by rule what safety devices,  
64 safeguards, or other means of protection must be adopted for the  
65 prevention of accidents, illnesses, fatalities, and injuries in  
66 every firefighter employee place of employment or at any fire  
67 scene; determine what suitable devices, safeguards, or other  
68 means of protection for the prevention of occupational diseases  
69 must be adopted or followed in any or all such firefighter  
70 places of employment or at any emergency fire scene; and adopt  
71 reasonable rules for the prevention of accidents, the safety,  
72 protection, and security of firefighter employees engaged in  
73 interior firefighting, and the prevention of occupational  
74 diseases and fatalities.

75           Section 3. Subsection (2) of section 633.520, Florida  
76 Statutes, is amended to read:

77           633.520 Safety; firefighter employer responsibilities.—

78           (2) The division shall adopt rules to establish:

79           (a) Employers' cancer prevention best practices related to  
80 personal protective equipment, decontamination, fire suppression  
81 equipment, and fire stations.

82           (b) Employers' mental health best practices related to  
83 resiliency, stress management, peer support, and access to  
84 mental healthcare.

85           Section 4. Subsection (1), paragraph (b) of subsection (2),  
86 and paragraph (c) of subsection (3) of section 633.522, Florida  
87 Statutes, are amended to read:

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88           633.522 Firefighter employers; high frequency of work-  
89 related injuries; corrective plans; workplace safety committees  
90 and coordinators; failure to implement a safety and health  
91 program; cancellation.-

92           (1) The division shall develop a means to identify  
93 individual firefighter employers with a high frequency of  
94 firefighter employee work-related injuries, occupational  
95 illnesses, and suicide. The division shall conduct safety  
96 inspections of those firefighter employers so identified to  
97 ensure compliance with this part or the division's rules and  
98 make recommendations based upon current safety and health  
99 practices and to assist such firefighter employers in reducing  
100 the number of work-related injuries, occupational illnesses, and  
101 suicide. The division may not assess penalties as a result of  
102 such inspections. Copies of any report made as the result of  
103 such an inspection shall be provided to the firefighter employer  
104 and its insurer. Firefighter employers shall submit a plan for  
105 the correction of any noncompliance issues to the division for  
106 approval in accordance with division rule. The division shall  
107 promptly review the plan submitted and approve or disapprove the  
108 plan within 60 days, or such plan shall be deemed approved. Upon  
109 approval by the division, the plan shall be implemented by the  
110 firefighter employer. If the plan is not submitted, does not  
111 provide corrective actions for all deficiencies, is not  
112 complete, or is not implemented, the fire service provider shall  
113 be subject to s. 633.526.

114           (2) In order to promote health and safety in firefighter  
115 employee places of employment in this state:

116           (b) Each firefighter employer of fewer than 20 firefighter

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117 employees with a high frequency or high severity of work-related  
118 injuries, occupational illnesses, or suicide, as identified by  
119 the division, shall establish and administer a workplace safety  
120 committee or designate a workplace safety coordinator who shall  
121 establish and administer workplace safety activities in  
122 accordance with rules adopted under this section.

123 (3) The division shall adopt rules:

124 (c) Prescribing the duties and functions of the workplace  
125 safety committee and workplace safety coordinator which include,  
126 but are not limited to:

127 1. Establishing procedures for workplace safety inspections  
128 by the committee.

129 2. Establishing procedures for investigating all workplace  
130 accidents, safety-related incidents, illnesses, and deaths.

131 3. Evaluating accident prevention, and illness prevention,  
132 and suicide prevention programs.

133 4. Prescribing guidelines for the training of safety  
134 committee members.

135 Section 5. Section 633.526, Florida Statutes, is amended to  
136 read:

137 633.526 Firefighter employer penalties.—If any firefighter  
138 employer violates or fails or refuses to comply with this part,  
139 or with any rule adopted by the division under such sections in  
140 accordance with chapter 120 for the prevention of injuries,  
141 accidents, or occupational diseases or with any lawful order of  
142 the division in connection with this part, or fails or refuses  
143 to furnish or adopt any safety device, safeguard, or other means  
144 of protection prescribed by division rule under this part for  
145 the prevention of accidents, injuries, suicide, ~~or~~ occupational

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146 diseases, or occupational illnesses, the division may:

147 (1) Issue an administrative cease and desist order,  
148 enforceable in the circuit court in the jurisdiction where the  
149 violation is occurring or has occurred.

150 (2) Assess an administrative fine against a firefighter  
151 employer of not less than \$100 or more than \$1,000 for each  
152 violation and each day a violation is committed.

153 (3) Assess against the firefighter employer a civil penalty  
154 of not less than \$100 nor more than \$5,000 for each day the  
155 violation, omission, failure, or refusal continues after the  
156 firefighter employer has been given written notice of such  
157 violation, omission, failure, or refusal. The total penalty for  
158 each violation shall not exceed \$50,000. The division shall  
159 adopt rules requiring penalties commensurate with the frequency  
160 or severity of safety violations. Hearings requested under this  
161 section shall be conducted in Tallahassee. All penalties  
162 assessed and collected under this section shall be deposited in  
163 the Insurance Regulatory Trust Fund.

164 Section 6. This act shall take effect July 1, 2025.