

By the Committee on Banking and Insurance; and Senators DiCeglie, Sharief, Calatayud, Bernard, Arrington, Pizzo, and Osgood

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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 assist in decreasing the
7 frequency and severity of fatalities; revising the
8 division's authority to adopt rules; requiring the
9 division to adopt rules; defining the term "readily
10 available"; authorizing the division to recommend a
11 phased approach in adopting certain rules related to
12 firefighting gear; amending s. 633.520, F.S.;
13 requiring the division to adopt rules relating to
14 education on chemical hazards and toxic substances in
15 protective gear and mental health best practices;
16 amending ss. 633.522 and 633.526, F.S.; conforming
17 provisions to changes made by the act; providing an
18 effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 633.506, Florida Statutes, is amended to
23 read:

24 633.506 Legislative intent.—It is the intent of the
25 Legislature to enhance firefighter occupational safety and
26 health in this ~~the~~ state through the implementation and
27 maintenance of policies, procedures, practices, rules, work
28 schedules, and standards that reduce the incidence of
29 firefighter employee accidents, firefighter employee

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30 occupational diseases, and firefighter employee fatalities
31 compensable under chapter 112, chapter 440, or otherwise. The
32 Legislature further intends that the division develop a means by
33 which the division can identify individual firefighter employers
34 with a high frequency or severity of work-related injuries,
35 occupational disease, or suicide; conduct safety inspections of
36 those firefighter employers;~~;~~ and assist those firefighter
37 employers in the development and implementation of firefighter
38 employee safety and health programs. In addition, it is the
39 intent of the Legislature that the division administer and
40 enforce this part; provide assistance to firefighter employers,
41 firefighter employees, and insurers; and enforce the policies,
42 rules, and standards set forth in this part.

43 Section 2. Present subsection (7) of section 633.508,
44 Florida Statutes, is redesignated as subsection (8), a new
45 subsection (7) is added to that section, and subsections (1) and
46 (2) and paragraph (a) of present subsection (7) of that section
47 are amended, to read:

48 633.508 Workplace safety; rulemaking authority; division
49 authority.—

50 (1) The division shall assist in making the firefighter
51 employee place of employment a safer place to work and
52 decreasing the frequency and severity of on-the-job injuries and
53 fatalities in such workplace.

54 (2) The division shall have the authority to adopt rules
55 for the purpose of ensuring safe working conditions for all
56 firefighter employees by authorizing the enforcement of
57 effective standards;~~;~~ by assisting and encouraging firefighter
58 employers to maintain safe working conditions, including, but

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59 not limited to, the establishment of a telehealth service that
60 provides access to mental health care and suicide prevention
61 specifically targeted to the unique needs of firefighters; and
62 ~~by~~ providing for education and training in the field of safety,
63 including training related to cancer and mental health risks
64 within the fire service. Specifically, the division may by rule
65 adopt the most current edition of all or any part of subparts C
66 through T and subpart Z of 29 C.F.R. s. 1910; the National Fire
67 Protection Association, Inc., Publication 1403, Standard on Live
68 Fire Training Evolutions, as limited by subsection (6); and ANSI
69 A 10.4.

70 (7) The division shall adopt rules relating to all of the
71 following:

72 (a) Requiring firefighter employers to issue firefighting
73 gear that does not contain chemical hazards or toxic substances
74 if such gear becomes readily available on the commercial market.
75 For purposes of this paragraph, the term "readily available"
76 means that more than one manufacturer offers firefighting gear
77 that does not contain chemical hazards or toxic substances. The
78 division may recommend a phased approach in adopting rules for
79 replacing firefighting gear that contains chemical hazards or
80 toxic substances.

81 (b) Requiring firefighter employers that issue firefighting
82 gear that contains or is manufactured with chemical hazards or
83 toxic substances to provide their firefighter employees notice
84 that the firefighting gear issued contains or is manufactured
85 with chemical hazards or toxic substances.

86 (c) Encouraging firefighter employers to implement work
87 schedules that do not require a firefighter employee's normally

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88 scheduled shifts to exceed 42 hours per workweek.

89 (8)~~(7)~~ The department shall:

90 (a) Investigate and prescribe by rule what safety devices,
91 safeguards, or other means of protection must be adopted for the
92 prevention of accidents and injuries in every firefighter
93 employee place of employment or at any fire scene; determine
94 what suitable devices, safeguards, or other means of protection
95 for the prevention of occupational diseases must be adopted or
96 followed in any or all such firefighter places of employment or
97 at any emergency fire scene; and adopt reasonable rules for the
98 prevention of accidents, the safety, protection, and security of
99 firefighter employees engaged in interior firefighting, and the
100 prevention of occupational diseases and fatalities.

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

103 633.520 Safety; firefighter employer responsibilities.-

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

105 (a) Employers' cancer prevention best practices related to
106 personal protective equipment, decontamination, fire suppression
107 equipment, education on chemical hazards and toxic substances in
108 protective gear, and fire stations.

109 (b) Employers' mental health best practices related to
110 resiliency, stress management, peer support, and access to
111 mental health care.

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

115 633.522 Firefighter employers; high frequency of work-
116 related injuries; corrective plans; workplace safety committees

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117 and coordinators; failure to implement a safety and health
118 program; cancellation.-

119 (1) The division shall develop a means to identify
120 individual firefighter employers with a high frequency of
121 firefighter employee work-related injuries, occupational
122 disease, and suicide. The division shall conduct safety
123 inspections of those firefighter employers so identified to
124 ensure compliance with this part or the division's rules and
125 make recommendations based upon current safety and health
126 practices and to assist such firefighter employers in reducing
127 the number of work-related injuries, occupational disease, and
128 suicide. The division may not assess penalties as a result of
129 such inspections. Copies of any report made as the result of
130 such an inspection shall be provided to the firefighter employer
131 and its insurer. Firefighter employers shall submit a plan for
132 the correction of any noncompliance issues to the division for
133 approval in accordance with division rule. The division shall
134 promptly review the plan submitted and approve or disapprove the
135 plan within 60 days, or such plan shall be deemed approved. Upon
136 approval by the division, the plan shall be implemented by the
137 firefighter employer. If the plan is not submitted, does not
138 provide corrective actions for all deficiencies, is not
139 complete, or is not implemented, the fire service provider shall
140 be subject to s. 633.526.

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

143 (b) Each firefighter employer of fewer than 20 firefighter
144 employees with a high frequency or high severity of work-related
145 injuries or fatalities, as identified by the division, shall

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146 establish and administer a workplace safety committee or
147 designate a workplace safety coordinator who shall establish and
148 administer workplace safety activities in accordance with rules
149 adopted under this section.

150 (3) The division shall adopt rules:

151 (c) Prescribing the duties and functions of the workplace
152 safety committee and workplace safety coordinator which include,
153 but are not limited to:

154 1. Establishing procedures for workplace safety inspections
155 by the committee.

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

158 3. Evaluating accident prevention, ~~and~~ illness prevention,
159 and suicide prevention programs.

160 4. Prescribing guidelines for the training of safety
161 committee members.

162 Section 5. Section 633.526, Florida Statutes, is amended to
163 read:

164 633.526 Firefighter employer penalties.—If any firefighter
165 employer violates or fails or refuses to comply with this part,
166 or with any rule adopted by the division under such sections in
167 accordance with chapter 120 for the prevention of injuries,
168 accidents, or occupational diseases or with any lawful order of
169 the division in connection with this part, or fails or refuses
170 to furnish or adopt any safety device, safeguard, or other means
171 of protection prescribed by division rule under this part for
172 the prevention of accidents, injuries, fatalities, or
173 occupational diseases, the division may:

174 (1) Issue an administrative cease and desist order,

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175 enforceable in the circuit court in the jurisdiction where the
176 violation is occurring or has occurred.

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

180 (3) Assess against the firefighter employer a civil penalty
181 of not less than \$100 nor more than \$5,000 for each day the
182 violation, omission, failure, or refusal continues after the
183 firefighter employer has been given written notice of such
184 violation, omission, failure, or refusal. The total penalty for
185 each violation shall not exceed \$50,000. The division shall
186 adopt rules requiring penalties commensurate with the frequency
187 or severity of safety violations. Hearings requested under this
188 section shall be conducted in Tallahassee. All penalties
189 assessed and collected under this section shall be deposited in
190 the Insurance Regulatory Trust Fund.

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