

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

|                       |       |       |
|-----------------------|-------|-------|
| ADOPTED               | ___   | (Y/N) |
| ADOPTED AS AMENDED    | ___   | (Y/N) |
| ADOPTED W/O OBJECTION | ___   | (Y/N) |
| FAILED TO ADOPT       | ___   | (Y/N) |
| WITHDRAWN             | ___   | (Y/N) |
| OTHER                 | _____ |       |

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1 Committee/Subcommittee hearing bill: Insurance & Banking  
 2 Subcommittee

3 Representative Booth offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 30-146 and insert:

7 occupational disease, or suicide; conduct safety inspections of  
 8 those firefighter employers;7 and assist those firefighter  
 9 employers in the development and implementation of firefighter  
 10 employee safety and health programs. In addition, it is the  
 11 intent of the Legislature that the division administer and  
 12 enforce this part; provide assistance to firefighter employers,  
 13 firefighter employees, and insurers; and enforce the policies,  
 14 rules, and standards set forth in this part.

15 **Section 2. Subsection (7) of section 633.508, Florida**  
 16 **Statutes, is renumbered as subsection (8), subsection (1) and**

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17 **paragraph (a) of present subsection (7) are amended, and a new**  
18 **subsection (7) is added to that section, to read:**

19 633.508 Workplace safety; rulemaking authority; division  
20 authority.—

21 (1) The division shall assist in making the firefighter  
22 employee place of employment a safer place to work and  
23 decreasing the frequency and severity of on-the-job injuries and  
24 the frequency of fatalities in such workplace.

25 (7) The division shall adopt rules relating to all of the  
26 following:

27 (a) Requiring firefighter employers to purchase  
28 firefighting gear that does not contain chemical hazards or  
29 toxic substances when such gear becomes readily available on the  
30 commercial market. For purposes of this paragraph, “readily  
31 available” means available from more than one manufacturer.  
32 Rules adopted under this paragraph may recommend a phased  
33 approach for gear replacement.

34 (b) Requiring firefighter employers that issue  
35 firefighting gear that contains or is manufactured with chemical  
36 hazards or toxic substances to provide their firefighter  
37 employees notice that the firefighting gear issued may contain  
38 or is manufactured with chemical hazards or toxic substances.

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

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42 (8)~~(7)~~ The department shall:

43 (a) Investigate and prescribe by rule what safety devices,  
44 safeguards, or other means of protection must be adopted for the  
45 prevention of accidents and injuries in every firefighter  
46 employee place of employment or at any fire scene; determine  
47 what suitable devices, safeguards, or other means of protection  
48 for the prevention of occupational diseases must be adopted or  
49 followed in any or all such firefighter places of employment or  
50 at any emergency fire scene; and adopt reasonable rules for the  
51 prevention of accidents, the safety, protection, and security of  
52 firefighter employees engaged in interior firefighting, and the  
53 prevention of occupational diseases and fatalities.

54 **Section 3. Subsection (2) of section 633.520, Florida**  
55 **Statutes, is amended to read:**

56 633.520 Safety; firefighter employer responsibilities.—

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

58 (a) Employers' cancer prevention best practices related to  
59 personal protective equipment, chemical hazards or toxic  
60 substance education regarding personal protective gear,  
61 decontamination, fire suppression equipment, and fire stations.

62 (b) Employers' mental health best practices related to  
63 resiliency, stress management, peer support, and access to  
64 mental healthcare.

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65           **Section 4. Subsection (1), paragraph (b) of subsection**  
66           **(2), and paragraph (c) of subsection (3) of section 633.522,**  
67           **Florida Statutes, are amended to read:**

68           633.522 Firefighter employers; high frequency of work-  
69           related injuries; corrective plans; workplace safety committees  
70           and coordinators; failure to implement a safety and health  
71           program; cancellation.—

72           (1) The division shall develop a means to identify  
73           individual firefighter employers with a high frequency of  
74           firefighter employee work-related injuries and suicide. The  
75           division shall conduct safety inspections of those firefighter  
76           employers so identified to ensure compliance with this part or  
77           the division's rules and make recommendations based upon current  
78           safety and health practices and to assist such firefighter  
79           employers in reducing the number of work-related injuries and  
80           suicide. The division may not assess penalties as a result of  
81           such inspections. Copies of any report made as the result of  
82           such an inspection shall be provided to the firefighter employer  
83           and its insurer. Firefighter employers shall submit a plan for  
84           the correction of any noncompliance issues to the division for  
85           approval in accordance with division rule. The division shall  
86           promptly review the plan submitted and approve or disapprove the  
87           plan within 60 days, or such plan shall be deemed approved. Upon  
88           approval by the division, the plan shall be implemented by the  
89           firefighter employer. If the plan is not submitted, does not

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90 provide corrective actions for all deficiencies, is not  
91 complete, or is not implemented, the fire service provider shall  
92 be subject to s. 633.526.

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

95 (b) Each firefighter employer of fewer than 20 firefighter  
96 employees with a high frequency or high severity of work-related  
97 injuries or a high frequency of work-related fatalities, as  
98 identified by the division, shall establish and administer a  
99 workplace safety committee or designate a workplace safety  
100 coordinator who shall establish and administer workplace safety  
101 activities in accordance with rules adopted under this section.

102 (3) The division shall adopt rules:

103 (c) Prescribing the duties and functions of the workplace  
104 safety committee and workplace safety coordinator which include,  
105 but are not limited to:

106 1. Establishing procedures for workplace safety  
107 inspections by the committee.

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

110 3. Evaluating accident prevention, ~~and~~ illness prevention,  
111 and suicide prevention programs.

112 4. Prescribing guidelines for the training of safety  
113 committee members.

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114           **Section 5. Section 633.526, Florida Statutes, is amended**  
115 **to read:**

116           633.526 Firefighter employer penalties.—If any firefighter  
117 employer violates or fails or refuses to comply with this part,  
118 or with any rule adopted by the division under such sections in  
119 accordance with chapter 120 for the prevention of injuries,  
120 accidents, or occupational diseases or with any lawful order of  
121 the division in connection with this part, or fails or refuses  
122 to furnish or adopt any safety device, safeguard, or other means  
123 of protection prescribed by division rule under this part for  
124 the prevention of accidents, injuries, fatalities, or  
125 occupational diseases, the division may:

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**T I T L E   A M E N D M E N T**

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Remove line 8 and insert:

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frequency of