



181490

LEGISLATIVE ACTION

Senate

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House

The Committee on Governmental Oversight and Accountability
(Book) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (h) of subsection (2) of section
112.19, Florida Statutes, is amended to read:

112.19 Law enforcement, correctional, and correctional
probation officers; death benefits.—

(2)

(h)1. Any employer who employs a full-time law enforcement,



11 correctional, or correctional probation officer who, on or after
12 January 1, 1995, suffers a catastrophic injury, as defined in s.
13 440.02, Florida Statutes 2002, in the line of duty shall pay the
14 entire premium of the employer's health insurance plan for the
15 injured employee, the injured employee's spouse, and for each
16 dependent child of the injured employee until the child reaches
17 the age of majority or until the end of the calendar year in
18 which the child reaches the age of 25 if the child continues to
19 be dependent for support, or the child is a full-time or part-
20 time student and is dependent for support. Any employer who
21 employed a full-time law enforcement, correctional, or
22 correctional probation officer who was exposed in the line of
23 duty to a pandemic disease that was the subject of a declared
24 public health emergency and who died from such disease on or
25 after March 1, 2020, shall pay the entire premium of the
26 employer's health insurance plan for the employee's surviving
27 spouse and for each surviving dependent child of the deceased
28 employee until the child reaches the age of majority or until
29 the end of the calendar year in which the child reaches the age
30 of 25, if the child continues to be dependent for support, or if
31 the child is a full-time or part-time student and is dependent
32 for support. The term "health insurance plan" does not include
33 supplemental benefits that are not part of the basic group
34 health insurance plan. If the injured employee subsequently
35 dies, the employer shall continue to pay the entire health
36 insurance premium for the surviving spouse until remarried, and
37 for the dependent children, under the conditions outlined in
38 this paragraph. However:
39 a. Health insurance benefits payable from any other source



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40 shall reduce benefits payable under this section.

41 b. It is unlawful for a person to willfully and knowingly
42 make, or cause to be made, or to assist, conspire with, or urge
43 another to make, or cause to be made, any false, fraudulent, or
44 misleading oral or written statement to obtain health insurance
45 coverage as provided under this paragraph. A person who violates
46 this sub-subparagraph commits a misdemeanor of the first degree,
47 punishable as provided in s. 775.082 or s. 775.083.

48 c. In addition to any applicable criminal penalty, upon
49 conviction for a violation as described in sub-subparagraph b.,
50 a law enforcement, correctional, or correctional probation
51 officer or other beneficiary who receives or seeks to receive
52 health insurance benefits under this paragraph shall forfeit the
53 right to receive such health insurance benefits, and shall
54 reimburse the employer for all benefits paid due to the fraud or
55 other prohibited activity. For purposes of this sub-
56 subparagraph, the term "conviction" means a determination of
57 guilt that is the result of a plea or trial, regardless of
58 whether adjudication is withheld.

59 2. In the case of catastrophic injury, in order for the
60 officer, spouse, and dependent children to be eligible for such
61 insurance coverage, the injury must have occurred as the result
62 of the officer's response to fresh pursuit, the officer's
63 response to what is reasonably believed to be an emergency, or
64 an unlawful act perpetrated by another. In the case of illness,
65 in order for the surviving spouse and dependent children to be
66 eligible for such insurance coverage, the illness must have been
67 contracted in the line of duty. Except as otherwise provided
68 herein, this paragraph may not be construed to limit health



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69 insurance coverage for which the officer, spouse, or dependent
70 children may otherwise be eligible, except that a person who
71 qualifies under this section is not eligible for the health
72 insurance subsidy provided under chapter 121, chapter 175, or
73 chapter 185.

74 Section 2. The amendments made by this act to s. 112.19,
75 Florida Statutes, are intended to apply retroactively to the
76 surviving spouse and dependent children of a law enforcement
77 officer, correctional officer, or a correctional probation
78 officer who was exposed in the line of duty to a pandemic
79 disease that was the subject of a declared public health
80 emergency and who died from such disease on or after March 1,
81 2020.

82 Section 3. The Legislature determines and declares that
83 this act fulfills an important state interest.

84 Section 4. This act shall take effect upon becoming a law.

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86 ===== T I T L E A M E N D M E N T =====

87 And the title is amended as follows:

88 Delete everything before the enacting clause
89 and insert:

90 A bill to be entitled
91 An act relating to death benefits; amending s. 112.19,
92 F.S.; requiring an employer of law enforcement,
93 correctional, or correctional probation officers to
94 extend paid health insurance benefits to a surviving
95 spouse and each dependent child as a result of the
96 death of the officer from a pandemic disease that is
97 the subject of a declared public health emergency if



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98 that officer was exposed in the line of duty;
99 providing applicability; providing retroactive
100 application; providing a declaration of an important
101 state interest; providing an effective date.