

## HB54 INTRODUCED



1 HB54  
2 WXZF9E9-1  
3 By Representatives Bedsole, Ingram, Bolton, Pettus, Shaver,  
4 Lee, Sorrells, Rehm, Whorton, DuBose, Brown, Lovvorn, Oliver  
5 RFD: Ways and Means General Fund  
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SYNOPSIS:

Existing law provides compensation for paid firefighters who contract cancer on the job, but makes no similar provision for volunteer firefighters.

This bill would provide compensation to the survivors of a volunteer firefighter who dies of work-related cancer by making them eligible for the death benefit awarded by the State Board of Adjustment for first responders who die in the line of duty.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to volunteer firefighters; to provide compensation to beneficiaries or dependents of active volunteer firefighters who die of cancer through the existing line of duty death benefit under Article 1, Chapter 30, Title 36, Code of Alabama 1975; to provide for circumstances qualifying for the claim and a standard of proof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings:

(1) CANCER. Includes bladder, blood, brain, breast,



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29 cervical, esophageal, intestinal, kidney, lymphatic, lung,  
30 prostate, rectum, respiratory tract, skin, testicular, and  
31 thyroid cancer, leukemia, multiple myeloma, Hodgkin's  
32 lymphoma, and non-Hodgkin's lymphoma.

33 (2) VOLUNTEER FIREFIGHTER. An individual who has been  
34 certified as a volunteer fire fighter through the Alabama  
35 Firefighters' Personnel Standards and Education Commission or  
36 who has received an equivalent certification to qualify as a  
37 volunteer firefighter before residing in this state.

38 (b) The death of a volunteer firefighter resulting from  
39 cancer may be compensable as a death in the line of duty under  
40 Article 1, Chapter 30, Title 36, Code of Alabama 1975, if all  
41 of the following facts and circumstances are presented with a  
42 claim for compensation made by or on behalf of a beneficiary  
43 or dependent in the manner prescribed by the State Board of  
44 Adjustment:

45 (1) The firefighter passed a physical examination  
46 before initial certification as a volunteer firefighter which  
47 failed to reveal any evidence of cancer.

48 (2) The firefighter had no less than six years of  
49 service as a firefighter before receiving a diagnosis of  
50 cancer.

51 (3) The firefighter was an active member of a volunteer  
52 fire department as recognized by the Alabama Forestry  
53 Commission or was an active volunteer member of a combination  
54 paid and volunteer fire department in this state at the time  
55 of the onset of the symptoms that led to a diagnosis of  
56 cancer.



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57           (4) The department for which the firefighter  
58 volunteered maintains a record indicating that the fire  
59 suppression events in which the firefighter participated  
60 exposed the firefighter to a known carcinogen.

61           (c) (1) The provisions of Article 1, Chapter 30, Title  
62 36, Code of Alabama 1975, shall govern any claim for  
63 compensation arising from this section.

64           (2) If a known carcinogen to which a volunteer  
65 firefighter was exposed while in the line of duty is  
66 reasonably linked to the type of cancer that resulted in the  
67 death of the firefighter, the cancer shall be presumed to  
68 arise out of and in the course of the firefighter's volunteer  
69 service, unless the state demonstrates by a preponderance of  
70 the evidence that the cancer was caused by some other means.

71           (d) Where any provision of this section may be in  
72 conflict with any provision of Article 1, Chapter 30, Title  
73 36, Code of Alabama 1975, the provision of this section will  
74 be given effect.

75           Section 2. This act shall become effective on October  
76 1, 2024.