

Amendment No.

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WITHDRAWN	_____	(Y/N)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		

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative Casello offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:
6 Section 1. Section 111.09, Florida Statutes, is created to
7 read:

8 111.09 Peer support for first responders.-

9 (1) For purposes of this section, the term:

10 (a) "First responder" has the same meaning as provided in
11 s. 112.1815 and includes public safety communications officers,
12 dispatchers, and 911 or other phone system operators whose job
13 duties include providing support or services to first
14 responders.

15 (b) "First responder peer" means a person who:

Amendment No.

16 1. Is not a health care practitioner as defined in s.
17 456.001.

18 2. Has experience working as or with a first responder
19 regarding any physical or emotional conditions or issues
20 associated with the first responder's employment.

21 3. Has been designated by the first responder's employing
22 agency to provide peer support as provided in this section.

23 (c) "Peer support communication" means one or more oral
24 communications, made with a mutual expectation of
25 confidentiality while a first responder peer is providing peer
26 support in his or her official capacity, between a first
27 responder and a first responder peer for the purpose of
28 discussing physical or emotional conditions or issues associated
29 with being a first responder.

30 (2) A first responder peer may not divulge information
31 from or testify about a peer support communication in a civil,
32 criminal, administrative, or disciplinary proceeding, unless:

33 (a) The first responder peer is a defendant in a civil,
34 criminal, administrative, or disciplinary proceeding arising
35 from a complaint filed by the first responder who was a party to
36 the peer support communication, in which case such information
37 may be divulged but is limited to the scope of the proceeding;

38 (b) The first responder who was a party to the peer
39 support communication agrees, in writing, to allow the first

Amendment No.

40 responder peer to testify about or divulge information related
41 to the peer support communications;

42 (c) Based on the peer support communications, the first
43 responder peer suspects that the first responder who was a party
44 to the peer support communications has committed a criminal act
45 or intends to commit a criminal act. There is no liability on
46 the part of, and no cause of action of any nature may arise
47 against, the first responder peer for disclosing information
48 under this paragraph; or

49 (d) There are articulable facts or circumstances that
50 would lead a reasonable, prudent person to fear for the safety
51 of the first responder who was a party to the peer support
52 communication, another person, or society, and the first
53 responder peer communicates the information only to the
54 potential victims, appropriate family members, or law
55 enforcement or other appropriate authorities. There is no
56 liability on the part of, and no cause of action of any nature
57 may arise against, the first responder peer for disclosing
58 information under this paragraph.

59 (3) This section does not limit the disclosure, discovery,
60 or admissibility of information, testimony, or evidence that is
61 obtained by a first responder peer from a source other than a
62 first responder through a peer support communication.

63 Section 2. This act shall take effect July 1, 2020.
64

Amendment No.

65
66
67
68
69
70
71
72
73
74
75
76
77

T I T L E A M E N D M E N T
Remove everything before the enacting clause and insert:
A bill to be entitled
An act relating to peer support for first responders;
creating s. 111.09, F.S.; providing definitions;
prohibiting certain persons who participate in peer
support communication with a first responder from
testifying or divulging specified information under
certain circumstances; providing exceptions;
prohibiting liability and a cause of action under
certain circumstances; providing construction;
providing an effective date.