

1 HB10
2 196112-1
3 By Representative Hanes
4 RFD: Ways and Means General Fund
5 First Read: 05-MAR-19
6 PFD: 01/10/2019

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8 SYNOPSIS: This bill would establish a rebuttable
9 presumption that a certified firefighter employed
10 or previously employed by a municipality for 10 or
11 more years of service who has developed certain
12 types of cancer would have his or her cancer
13 classified as an occupational disease and would be
14 entitled to all of the rights and benefits as
15 granted by state law to which one suffering from an
16 occupational disease is entitled as service
17 connected in the line of duty.

18 This bill would extend the presumption to
19 previously employed certified firefighters for a
20 period of 10 years after the last actual date of
21 service.

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
26

1 Relating to occupational diseases; to establish a
2 rebuttable presumption that a certified firefighter employed
3 or previously employed by a municipality for 10 or more years
4 of service who has developed certain types of cancer would
5 have his or her cancer classified as an occupational disease;
6 and to extend the presumption to previously employed certified
7 firefighters for 10 years after the last actual date of
8 service.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. (a) As used in this section, qualified
11 firefighter means a certified firefighter who is employed or
12 was previously employed by a municipality and has completed 10
13 or more years of service.

14 (b) Because of exposure to heat, smoke, and fumes or
15 carcinogenic, poisonous, toxic, or chemical substances, if a
16 qualified firefighter develops cancer, as provided for in
17 subsection (d), the cancer shall be classified as an
18 occupational disease connected with the duties of a
19 firefighter, and the disease shall be presumed to have been
20 caused by or to have resulted from the work performed.

21 (c) This presumption shall be rebuttable by evidence
22 meeting judicial standards and shall be extended to a
23 qualified firefighter following his or her termination of
24 service for a period of 10 years after the last actual date of
25 service.

26 (d) (1) The cancer referred to in subsection (b)
27 shall be limited to the types of cancer which may be caused by

1 exposure to heat, smoke, radiation, or a known or suspected
2 carcinogen as defined by the International Agency for Research
3 on Cancer.

4 (2) The cancer shall also be limited to a cancer
5 originating in the bladder, brain, colon, liver, pancreas,
6 skin, kidney, gastrointestinal, or reproductive tract, and
7 leukemia, lymphoma, multiple myeloma, prostate cancer, and
8 testicular cancer, or any other type of cancer, due to
9 occupational exposure, for which firefighters are determined
10 to have a statistically significant increased risk over that
11 of the general population.

12 (e) Upon proving the presumption in subsection (b),
13 an affected qualified firefighter or his or her heirs shall be
14 entitled to all rights and benefits related to occupational
15 disease provided by law.

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23 Section 2. This act shall become effective on the
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