

RESOLUTION NO. 21R-04-78

A RESOLUTION OF THE CITY OF LAUDERHILL FLORIDA IN SUPPORT OF HOUSE BILL (HB 949) AND SENATE BILL (SB 1314) AMENDING THE FLORIDA STATUTES CHAPTER 112 TO EXPRESSLY ADD "INFECTIOUS DISEASE" TO THE LIST OF ENUMERATED OCCUPATIONAL EXPOSURES PRESUMED WITHIN THE LINE OF DUTY IN CIRCUMSTANCES WHERE IT IS CONTRACTED WITHIN THE SCOPE OF WORK DURING A DECLARED PUBLIC HEALTH EMERGENCY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY VICE MAYOR DENISE D. GRANT)

WHEREAS, Sergeant Corey Pendergrass of the Lauderhill Police Department died on June 13, 2020 after contracting COVID-19 while on duty; and

WHEREAS, insurance companies have denied benefit claims and refused to provide coverage for COVID-related deaths on duty in the State of Florida because infectious disease is not included within the express list of occupational exposures that are presumed to be covered disabilities in the line of duty contained in Florida Statutes, Section 112.181; and

WHEREAS, City of Lauderhill Resolution No. 20R-08-171, attached hereto and incorporated by reference herein, requested that the Florida Legislature pass a bill to amend the applicable Florida Statutes to add infectious disease to the enumerated list of covered occupational exposures that are presumed to be within the line of duty for first responders to be entitled to receive death benefits and workers compensation benefits; and

WHEREAS, House Bill 949 and Senate Bill 1314 seek to amend the Florida Statutes to provide that infectious disease will be presumed to be covered for the specified first responders when contracted within the line of duty during a declared public health emergency effective July 1, 2021; and

WHEREAS, this amendment will help to insure that future qualifying first responders who are injured or die from infectious disease contracted within the course and scope of work during a declared public health emergency will be eligible for disability coverage and benefits; and

WHEREAS, our first responders are on the front lines, have a higher risk of exposure due to the nature of their work, and are risking their lives to protect the public; they deserve to have themselves and their families protected for the sacrifices they make as a part of their daily routine duties; and

WHEREAS, the City of Lauderhill is in support of these bills to protect our first responders;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified as true and correct and adopted as a part of this Resolution with the exhibits incorporated herein.

Section 2. That the City of Lauderhill supports the passage of House Bill (HB 949) and Senate Bill (SB 1314) which amends Florida Statutes, Chapter 112 to add "infectious disease" to the enumerated list of occupational exposures which are expressly presumed disabilities to be eligible for disability coverage if contracted within the scope of employment during a declared public health emergency.

Section 3. That it hereby directs the City Clerk to transmit an executed copy of this Resolution to the Florida Legislature, Broward League of Cities, Governor Ron DeSantis, the media, and all interested persons.

Section 4. That this Resolution shall be in full force and effect immediately upon its passage and adoption.

DATED this _____ day of _____, 2021.

PASSED AND ADOPTED on first reading this _____ day of _____, 2021.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION
SECOND

M. DUNN
D. GRANT
L. MARTIN
S. MARTIN
K. THURSTON

Approved as to Form

W. Earl Hall
City Attorney