



**House Ways and Means General Fund Reported  
Substitute for HB466**

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A BILL  
TO BE ENTITLED  
AN ACT

Relating to firefighters; to amend Sections 11-43-144, 36-30-40, and 36-30-41, Code of Alabama 1975, to further provide for disability and death benefits for firefighters; to add Parkinson's disease to the list of firefighter's occupational diseases; to provide a qualifying standard; and to delete duplicative language and make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 11-43-144, 36-30-40, and 36-40-41, Code of Alabama 1975, are amended to read as follows:

"§11-43-144

(a) As used in this section the following words and terms ~~shall~~ have the following meanings ~~ascribed to them herein~~ unless a contrary meaning is indicated by the context:

(1) BENEFIT. Any monetary allowance payable by a city or from a pension system established for the ~~firemen~~firefighters of a city to a firefighter on account of his or her disability or to his or her dependents on account of his or her death, irrespective of whether the same is



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29 payable under a pension law of the state or under some other  
30 law of the state.

31 (2) CITY. Any municipality of the state, regardless of  
32 its population.

33 (3) DISABILITY. ~~Disability~~A condition that renders an  
34 individual unable to perform the required duties ~~as of~~ a  
35 firefighter.

36 (4) FIREFIGHTER. ~~A person~~An individual employed as a  
37 firefighter by a city.

38 (5) FIREFIGHTER'S OCCUPATIONAL DISEASE. Any condition  
39 or impairment of health caused by any of the following:

40 a. Hypertension.

41 b. Heart disease.

42 c. Respiratory disease.

43 d. Cancer that manifests itself in a firefighter during  
44 the period in which the firefighter is in the service of the  
45 city, ~~provided if~~ the firefighter demonstrates that he or she  
46 was exposed, while ~~in the employ of~~employed by the city, to a  
47 known carcinogen that is reasonably linked to the disabling  
48 cancer, ~~and~~in which case the cancer shall be presumed to arise  
49 out of and in the course of the firefighter's employment,  
50 ~~unless the city demonstrates by a preponderance of the~~  
51 ~~evidence that the cancer was caused by some other means.~~

52 e. ~~AIDS~~HIV that manifests itself in a firefighter  
53 during the period in which the firefighter is ~~in the service~~  
54 ~~of~~employed by the city, ~~provided if~~ the firefighter  
55 demonstrates that he or she was exposed to ~~AIDS~~HIV while in  
56 the line and scope of his or her employment with the city.



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57 f. Hepatitis that manifests itself in a firefighter  
58 during the period in which the firefighter is in the service  
59 of the city, ~~provided~~ if the firefighter demonstrates that he  
60 or she was exposed to hepatitis while in the line and scope of  
61 his or her employment with the city.

62 g. Parkinson's disease that manifests itself in a  
63 firefighter during the period in which the firefighter is in  
64 the service of the city if the firefighter demonstrates that  
65 he or she, while employed by the city, was exposed to a known  
66 toxin that is associated with an increased risk of Parkinson's  
67 disease, in which case the Parkinson's disease shall be  
68 presumed to arise out of and in the course of the  
69 firefighter's employment.

70 (b) (1) This section shall apply to firefighters who,  
71 upon entering the service of the city as firefighters, have  
72 successfully passed a physical examination ~~which~~ that failed to  
73 reveal any evidence of a firefighter's occupational disease  
74 and who have completed at least three years' service as  
75 firefighters.

76 (2) If a physical examination was not required at the  
77 time of entry into service, a firefighter who has completed at  
78 least three years' continuous service as a firefighter next  
79 preceding September 8, 1967, shall be deemed eligible for  
80 benefits under this section.

81 (c) (1) If a firefighter who ~~qualifies~~ is eligible for  
82 benefits under this section suffers disability as a result of  
83 a firefighter's occupational disease, his or her disability  
84 shall be ~~compensable the same as any service-connected~~



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85 ~~disability~~compensated under any law that provides benefits for  
 86 firefighters of the city who are injured in the line of duty.  
 87 If a firefighter, who qualifies for benefits under this  
 88 section, dies as the result of a firefighter's occupational  
 89 disease, his or her death shall be ~~compensable to the same~~  
 90 ~~extent as the death of a~~compensated the same as that of a  
 91 firefighter killed in the line of duty, ~~and shall be~~  
 92 ~~considered to have been killed in the line of duty for~~  
 93 ~~purposes of Sections 36-30-1 to 36-30-7, inclusive~~ pursuant to  
 94 Article 1 of Chapter 30 of Title 36. However, a firefighter's  
 95 eligibility for workers' compensation benefits shall be  
 96 governed solely by Chapter 5 of Title 25.

97 (2) Notwithstanding subdivision (1), a firefighter who  
 98 dies of cancer, as provided in paragraph (a)(5)d., within 10  
 99 years of the firefighter's last date of employment shall be  
 100 considered to have been killed in the line of duty for  
 101 purposes of ~~Sections 36-30-1 to 36-30-7, inclusive~~Article 1 of  
 102 Chapter 30 of Title 36.

103 (d) In the case of ~~cancer, heart disease, hypertension,~~  
 104 ~~and respiratory disease, the~~ a firefighter's occupational  
 105 disease as defined in this section, the city must prove by a  
 106 preponderance of the evidence that the condition was caused by  
 107 some means other than the occupation to disqualify the  
 108 firefighter from benefits."

109 "§36-30-40

110 As used in this article, the following terms shall have  
 111 the following meanings:

112 (1) BENEFIT. Any monetary allowance payable by the



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113 state for a firefighter on account of his or her disability or  
114 to his or her dependents on account of his or her death,  
115 irrespective of whether the same is payable under a pension  
116 law of the state or under some other law of the state.

117 (2) DISABILITY. ~~Disability~~A condition that renders an  
118 individual unable to perform the required duties ~~as of~~ a  
119 firefighter.

120 (3) FIREFIGHTER. A person employed as a firefighter by  
121 the state.

122 (4) FIREFIGHTER'S OCCUPATIONAL DISEASE. Any condition  
123 or impairment of health caused by any of the following:

124 a. Hypertension.

125 b. Heart disease.

126 c. Respiratory disease.

127 d. Cancer ~~which~~that manifests itself in a firefighter  
128 during the period in which the firefighter is in the service  
129 of the state, ~~provided if~~ if the firefighter demonstrates that he  
130 or she, while ~~in the employ of~~employed by the state, was  
131 exposed to a known carcinogen ~~which~~that is reasonably linked  
132 to the disabling cancer, ~~and in which case~~ and in which case the cancer shall be  
133 presumed to arise out of and in the course of the  
134 firefighter's employment ~~unless the state demonstrates by a~~  
135 ~~preponderance of the evidence that the cancer was caused by~~  
136 ~~some other means.~~

137 e. HIV ~~which~~that manifests itself in a firefighter  
138 during the period in which the firefighter is ~~in the service~~  
139 ~~of~~employed by the state, ~~provided if~~ if the firefighter  
140 demonstrates ~~by sufficient evidence~~ that he or she was exposed



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141 to HIV while in the line and scope of his or her employment  
142 with the state.

143 f. Hepatitis ~~which~~that manifests itself in a  
144 firefighter during the period in which the firefighter is in  
145 the service of the state, ~~provided~~ if the firefighter  
146 demonstrates that he or she was exposed to hepatitis while in  
147 the line and scope of his or her employment with the state.

148 g. Parkinson's disease that manifests itself in a  
149 firefighter during the period in which the firefighter is in  
150 the service of the state if the firefighter demonstrates that  
151 he or she, while employed by the state, was exposed to a known  
152 toxin that is associated with an increased risk of Parkinson's  
153 disease, in which case the Parkinson's disease shall be  
154 presumed to arise out of and in the course of the  
155 firefighter's employment."

156 "§36-30-41

157 (a) This article shall apply to firefighters who, upon  
158 entering the service of the state as firefighters, have  
159 successfully passed a physical examination ~~which~~that failed to  
160 reveal any evidence of a firefighter's occupational disease  
161 and who have completed at least three years' service as  
162 firefighters. If a physical examination was not required at  
163 the time of entry into service, a firefighter who completes an  
164 exam by January 1, 2013, shall be deemed eligible for benefits  
165 under this section.

166 (b) If a firefighter who ~~qualifies~~ is eligible for  
167 benefits under Chapter 29A, or any other law, suffers  
168 disability as a result of a firefighter's occupational



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169 disease, his or her disability shall be ~~compensable the same~~  
170 ~~as any service-connected disability~~compensated under any law  
171 ~~which~~that provides benefits for firefighters of the state who  
172 are injured in the line of duty. If a firefighter who  
173 qualifies for benefits under this section dies as the result  
174 of a firefighter's occupational disease, his or her death  
175 shall be ~~compensable to the same extent as the death of a~~  
176 ~~firefighter killed in the line of duty, and the firefighter~~  
177 ~~shall be considered to have~~compensated as if the firefighter  
178 had been killed in the line of duty ~~for purposes of Sections~~  
179 ~~36-30-1 to 36-30-7, inclusive~~pursuant to Article 1. However, a  
180 firefighter's eligibility for workers' compensation benefits  
181 shall be governed solely by Chapter 5 of Title 25.

182 (c) In the case of an occupational disease as defined  
183 in this article, the state must prove by a preponderance of  
184 the evidence that the condition was caused by some means other  
185 than the occupation to disqualify the firefighter from  
186 benefits."

187 Section 2. This act shall become effective on October  
188 1, 2026.