

SB332 INTRODUCED



1 SB332
2 841T12H-1
3 By Senators Coleman, Jones
4 RFD: Veterans, Military Affairs and Public Safety
5 First Read: 26-Feb-26

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4 SYNOPSIS:

5 Existing law provides that firefighters may be
6 paid benefits for disability or death caused by a
7 firefighter's occupational disease.

8 This bill would add Parkinson's disease to the
9 list of firefighter's occupational diseases. This bill
10 would also provide a standard for demonstrating that
11 Parkinson's disease is occupational in origin in order
12 to qualify for benefits.

13 This bill would also delete duplicative language
14 and would make nonsubstantive, technical revisions to
15 update the existing code language to current style.
16
17

18 A BILL
19 TO BE ENTITLED
20 AN ACT
21

22 Relating to firefighters; to amend Sections 11-43-144,
23 36-30-40, and 36-30-41, Code of Alabama 1975, to further
24 provide for disability and death benefits for firefighters; to
25 add Parkinson's disease to the list of firefighter's
26 occupational diseases; to provide a qualifying standard; and
27 to delete duplicative language and make nonsubstantive,
28 technical revisions to update the existing code language to



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

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

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

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

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

- a. Hypertension.
- b. Heart disease.
- c. Respiratory disease.
- d. Cancer that manifests itself in a firefighter during



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the period in which the firefighter is in the service of the city, ~~provided if~~ the firefighter demonstrates that he or she was exposed, while ~~in the employ of~~ employed by the city, to a known carcinogen that is reasonably linked to the disabling cancer, ~~and in which case~~ the cancer shall be presumed to arise out of and in the course of the firefighter's employment, ~~unless the city demonstrates by a preponderance of the evidence that the cancer was caused by some other means.~~

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

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

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

(b) (1) This section shall apply to firefighters who, upon entering the service of the city as firefighters, have



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85 successfully passed a physical examination ~~which~~that failed to
86 reveal any evidence of a firefighter's occupational disease
87 and who have completed at least three years' service as
88 firefighters.

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

94 (c) (1) If a firefighter who ~~qualifies~~is eligible for
95 benefits under this section suffers disability as a result of
96 a firefighter's occupational disease, his or her disability
97 shall be ~~compensable the same as any service-connected~~
98 ~~disability~~compensated under any law that provides benefits for
99 firefighters of the city who are injured in the line of duty.
100 If a firefighter, who qualifies for benefits under this
101 section, dies as the result of a firefighter's occupational
102 disease, his or her death shall be ~~compensable to the same~~
103 ~~extent as the death of a~~compensated the same as that of a
104 firefighter killed in the line of duty, ~~and shall be~~
105 ~~considered to have been killed in the line of duty for~~
106 ~~purposes of Sections 36-30-1 to 36-30-7, inclusive~~ pursuant to
107 Article 1 of Chapter 30 of Title 36.

108 (2) Notwithstanding subdivision (1), a firefighter who
109 dies of cancer, as provided in paragraph (a)(5)d., within 10
110 years of the firefighter's last date of employment shall be
111 considered to have been killed in the line of duty for
112 purposes of ~~Sections 36-30-1 to 36-30-7, inclusive~~Article 1 of



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Chapter 30 of Title 36.

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

"§36-30-40

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

(1) BENEFIT. Any monetary allowance payable by the state for 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 payable under a pension law of the state or under some other law of the state.

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

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

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

a. Hypertension.

b. Heart disease.

c. Respiratory disease.

d. Cancer ~~which~~ that manifests itself in a firefighter during the period in which the firefighter is in the service of the state, ~~provided if~~ the firefighter demonstrates that he



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or she, while ~~in the employ of~~employed by the state, was exposed to a known carcinogen ~~which~~that is reasonably linked to the disabling cancer, ~~and in which case~~ the cancer shall be presumed to arise out of and in the course of the firefighter's employment ~~unless the state demonstrates by a preponderance of the evidence that the cancer was caused by some other means.~~

e. HIV ~~which~~that manifests itself in a firefighter during the period in which the firefighter is ~~in the service of~~employed by the state, ~~provided if~~ the firefighter demonstrates ~~by sufficient evidence~~ that he or she was exposed to HIV while in the line and scope of his or her employment with the state.

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

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

"§36-30-41

(a) This article shall apply to firefighters who, upon



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entering the service of the state as firefighters, have successfully passed a physical examination ~~which~~that failed to reveal any evidence of a firefighter's occupational disease and who have completed at least three years' service as firefighters. If a physical examination was not required at the time of entry into service, a firefighter who completes an exam by January 1, 2013, shall be deemed eligible for benefits under this section.

(b) If a firefighter who ~~qualifies~~is eligible for benefits under Chapter 29A, or any other law, suffers disability as a result of a firefighter's occupational disease, his or her disability shall be ~~compensable the same as any service-connected disability~~compensated under any law ~~which~~that provides benefits for firefighters of the state who are injured in the line of duty. If a firefighter who qualifies for benefits under this section dies as the result of a firefighter's occupational disease, his or her death shall be ~~compensable to the same extent as the death of a firefighter killed in the line of duty, and the firefighter shall be considered to have~~compensated as if the firefighter had been killed in the line of duty ~~for purposes of Sections 36-30-1 to 36-30-7, inclusive~~pursuant to Article 1.

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

Section 2. This act shall become effective on October



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197 1, 2026.