

HB466 ENROLLED



1 HB466
2 NR4W3J8-3
3 By Representative Treadaway
4 RFD: Ways and Means General Fund
5 First Read: 17-Feb-26



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1 Enrolled, An Act,

2
3 Relating to firefighters; to amend Sections 11-43-144,
4 36-30-40, and 36-30-41, Code of Alabama 1975, to further
5 provide for disability and death benefits for firefighters; to
6 add Parkinson's disease to the list of firefighter's
7 occupational diseases; to provide a qualifying standard; and
8 to delete duplicative language and make nonsubstantive,
9 technical revisions to update the existing code language to
10 current style.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

14 "§11-43-144

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

18 (1) BENEFIT. Any monetary allowance payable by a city
19 or from a pension system established for the
20 ~~firemen~~firefighters of a city to a firefighter on account of
21 his or her disability or to his or her dependents on account
22 of his or her death, irrespective of whether the same is
23 payable under a pension law of the state or under some other
24 law of the state.

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

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



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29 firefighter.

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

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

34 a. Hypertension.

35 b. Heart disease.

36 c. Respiratory disease.

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

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

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

56 g. Parkinson's disease that manifests itself in a



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

64 (b) (1) This section shall apply to firefighters who,
65 upon entering the service of the city as firefighters, have
66 successfully passed a physical examination ~~which~~that failed to
67 reveal any evidence of a firefighter's occupational disease
68 and who have completed at least three years' service as
69 firefighters.

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

75 (c) (1) If a firefighter who ~~qualifies~~is eligible for
76 benefits under this section suffers disability as a result of
77 a firefighter's occupational disease, his or her disability
78 shall be ~~compensable the same as any service-connected~~
79 ~~disability~~compensated under any law that provides benefits for
80 firefighters of the city who are injured in the line of duty.
81 If a firefighter, who qualifies for benefits under this
82 section, dies as the result of a firefighter's occupational
83 disease, his or her death shall be ~~compensable to the same~~
84 ~~extent as the death of a~~compensated the same as that of a



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85 firefighter killed in the line of duty, ~~and shall be~~
86 ~~considered to have been killed in the line of duty for~~
87 ~~purposes of Sections 36-30-1 to 36-30-7, inclusive~~ pursuant to
88 Article 1 of Chapter 30 of Title 36. However, benefits for a
89 firefighter who is eligible for workers' compensation pursuant
90 to Chapter 5 of Title 25 or a firefighter who is eligible for
91 any benefits under the State Employee Injury Compensation
92 Trust Fund pursuant to Chapter 29A of Title 36 shall be
93 governed solely by those provisions.

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

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

106 "§36-30-40

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

109 (1) BENEFIT. Any monetary allowance payable by the
110 state for a firefighter on account of his or her disability or
111 to his or her dependents on account of his or her death,
112 irrespective of whether the same is payable under a pension



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113 law of the state or under some other law of the state.

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

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

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

121 a. Hypertension.

122 b. Heart disease.

123 c. Respiratory disease.

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

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

140 f. Hepatitis ~~which~~that manifests itself in a



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141 firefighter during the period in which the firefighter is in
142 the service of the state, ~~provided if~~ the firefighter
143 demonstrates that he or she was exposed to hepatitis while in
144 the line and scope of his or her employment with the state.

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

153 "§36-30-41

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

163 (b) If a firefighter who ~~qualifies~~ is eligible for
164 benefits under Chapter 29A, or any other law, suffers
165 disability as a result of a firefighter's occupational
166 disease, his or her disability shall be ~~compensable the same~~
167 ~~as any service-connected disability~~ compensated under any law
168 ~~which~~ that provides benefits for firefighters of the state who



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169 are injured in the line of duty. If a firefighter who
170 qualifies for benefits under this section dies as the result
171 of a firefighter's occupational disease, his or her death
172 shall be ~~compensable to the same extent as the death of a~~
173 ~~firefighter killed in the line of duty, and the firefighter~~
174 ~~shall be considered to have~~compensated as if the firefighter
175 had been killed in the line of duty for purposes of Sections
176 36-30-1 to 36-30-7, inclusivepursuant to Article 1. However,
177 benefits for a firefighter who is eligible for workers'
178 compensation pursuant to Chapter 5 of Title 25 or a
179 firefighter who is eligible for any benefits under the State
180 Employee Injury Compensation Trust Fund pursuant to Chapter
181 29A of Title 36 shall be governed solely by those provisions.

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.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 10-Mar-26.

John Treadwell
Clerk

Senate

31-Mar-26

Passed