

SENATE THIRD READING

SB 230 (Laird)

As Amended March 4, 2025

Majority vote

SUMMARY

Expands the classes of firefighters who receive presumptions for specific injuries or illnesses in the workers' compensation system.

Major Provisions

- 1) Expands the rebuttable presumptions for heart disease, hernias, pneumonia, tuberculosis, blood-borne infectious disease or methicillin-resistant *Staphylococcus aureus* skin infection (MRSA), bio-chemical illness, and meningitis to all of the following active firefighting members of:
 - a) A fire department that serves a *United States Department of Defense (DOD) installation* and is certified by the United States Department of Defense as meeting its standards for firefighters.
 - b) A fire department that serves a *National Aeronautics and Space Administration (NASA) installation* and adheres to training standards established in accordance with specified Health and Safety Code provisions, and
 - c) A fire department that provides fire protection to a *commercial airport* regulated by the Federal Aviation Administration (FAA) and is trained and certified by the State Fire Marshall.
- 2) Expands the rebuttable presumptions for cancer and post-traumatic stress disorder injuries to active firefighting members of a fire department that provides fire protection to a commercial airport.

COMMENTS

- 1) *Presumptions*: Presumptions of compensability have generally been adopted to reflect unique circumstances where injuries or illnesses appear to logically be work related, but it is difficult for the employee to prove it is work related. It is worth noting that while the statute provides that presumptions are rebuttable, rebutting a presumption would require the employer to prove the illness/injury was not work related. This requirement to prove a negative renders any illness/injury subject to a presumption automatically compensable in fact.

The author and sponsors note that the NASA and airport firefighters are not federal employees. They are privately contracted and get state workers' compensation benefits. The Legislature has previously extended some workers' compensation presumptions for these firefighters. DOD and NASA firefighters are already afforded rebuttable presumptions for cancer and post-traumatic stress disorder injuries.

The sponsors note that firefighters at all these facilities perform duties that municipal or county firefighters might not encounter regularly. This includes "dangerous chemical fires,

interacting with heavy equipment such as airplanes or related machinery, or responding to fires involving military apparatus [and] extended exposures to toxic chemicals such as PFAS contained in aqueous film forming foam (AFFF) used at airports and other facilities to extinguish flammable liquid fires."

- 2) *Commercial Airport Firefighters*: According to the sponsor of the bill, the only commercial airport in California with privately employed firefighters is Hollywood Burbank Airport. Firefighters at the other commercial airports in California are employed by a local government agency and are covered by existing presumption provisions.

According to the Author

"Firefighters put their lives on the line to protect our communities, and they deserve the same access to care no matter where they work. Senate Bill 230 closes a gap in workers' compensation coverage by extending existing presumptions to federal firefighters, and those stationed at NASA facilities and airports. These brave professionals face the same risks and illnesses as their peers across the state. This bill ensures all California firefighters receive equitable and timely care for injuries and illnesses sustained on the job."

Arguments in Support

According to the California Professional Firefighters Association, "This measure seeks to provide equity to all professional firefighters serving in California, no matter where they work. It has been widely agreed by lawmakers that rebuttable presumptions are a fair and necessary tool to ensure that injured firefighters receive the care they need for job-caused injuries, and to provide them that care in an expedient manner so that they can return to the jobs they love. The fact that a firefighter performs their duties at a NASA installation or an airport should not prevent them from accessing this care, and this measure will end that inequity."

Arguments in Opposition

None on file.

FISCAL COMMENTS

None

VOTES

SENATE FLOOR: 39-0-1

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNERney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Reyes

ASM INSURANCE: 15-0-2

YES: Calderon, Wallis, Addis, Alvarez, Ávila Farías, Berman, Chen, Ellis, Gipson, Hadwick, Harabedian, Nguyen, Ortega, Petrie-Norris, Michelle Rodriguez

ABS, ABST OR NV: Krell, Valencia

UPDATED

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CONSULTANT: Paul Riches / INS. / (916) 319-2086

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