

FIRST EXTRAORDINARY SESSION

SENATE BILL NO. 2

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CALLAHAN.

Read 1st time September 6, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

2513S.011

AN ACT

To repeal section 287.110 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 1 & 130 and approved by the governor on March 30, 2005, and to enact in lieu thereof one new section relating to the applicability of workers' compensation law, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 287.110 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 1 & 130 and approved by the governor on March 30, 2005, is repealed and one new section enacted in lieu thereof, to be known as section 287.110, to read as follows:

287.110. 1. This chapter shall apply to all cases within its provisions except those exclusively covered by any federal law [and those addressed in section 287.120] **or where an employer and employee or employee organization has reached an agreement allowing for alternative dispute resolution of work related injuries. Such an alternative dispute resolution agreement shall be deemed valid unless it is found to be the result of coercion, fraud, or undue influence.**

2. This chapter shall apply to all injuries received and occupational diseases contracted in this state, regardless of where the contract of employment

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

was made, and also to all injuries received and occupational diseases contracted outside of this state under contract of employment made in this state, unless the contract of employment in any case shall otherwise provide, and also to all injuries received and occupational diseases contracted outside of this state where the employee's employment was principally localized in this state [within thirteen calendar weeks of the injury or diagnosis of the occupational disease].

Section B. Because of the need to ensure the proper application of the state's workers' compensation law, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.

Unofficial

Bill

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