

Regular Session, 2012

SENATE BILL NO. 430

BY SENATOR MURRAY

WORKERS' COMPENSATION. Extends developmental injury prescription exception from two years to up to three years from date of accident. (8/1/12)

AN ACT

To amend and reenact R.S. 23:1209(A)(3), relative to workers' compensation; provides for the prescriptive period of developmental injury; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1209(A)(3) is hereby amended and reenacted to read as follows:

§1209. Prescription; timeliness of filing; dismissal for want of prosecution

A. * * *

(3) When the injury does not result at the time of or develop immediately after the accident, the limitation shall not take effect until expiration of one year from the time the injury develops, but in all such cases the claim for payment shall be forever barred unless the proceedings have been begun within ~~two~~ **three** years from the date of the accident.

* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

Present law provides that when an injury does not result at the time of or immediately after the accident, the prescriptive period is one year from the time the injury develops.

Present law provides that in such cases claim for payment is forever barred unless proceedings have been begun within two years from the date of the accident.

Proposed law extends the time limitation from two years to three years.

Effective August 1, 2012.

(Amends R.S. 23:1209(A)(3))