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**SENATE COMMITTEE AMENDMENTS**

2016 Regular Session

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 44 by Senator Gatti

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1 AMENDMENT NO. 1

2 On page 1, line 2, delete "enact R.S. 23:1105" and insert "amend and reenact R.S. 23:1103  
3 (D)"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "to provide for" delete the rest of the line and delete lines 5 through  
6 6 and insert the following:

7 "a dollar-for-dollar credit for certain amounts paid on behalf the employer; and to  
8 provide for related matters."

9 AMENDMENT NO. 3

10 On page 1, line 8, delete "R.S. 23:1105 is hereby enacted" and insert "R.S.23:1103(D) is  
11 hereby amended and reenacted"

12 AMENDMENT NO. 4

13 On page 1, delete lines 9 through 17, and delete page 2 in its entirety, and insert the  
14 following:

15  
16 "§1103. Damages; apportionment of between employer and employee in suits  
17 against third persons; compromise of claims; credit

18 \* \* \*

19 D. An insurer shall grant its insured a dollar-for-dollar credit for any amount  
20 on any claim paid pursuant to this Chapter on the employer's behalf and recovered  
21 in the current year, less any reasonable expenses incurred in the recovery by the  
22 insurer, in an action or compromise pursuant to this Section and R.S. 23:1102. The  
23 credit shall be used by the insurer in the calculation, ~~including but not limited to loss~~  
24 ~~experience ratios,~~ of the **loss experience modifier promulgated by and in**  
25 **accordance with the rules of the National Council on Compensation Insurance,**  
26 **to be applied in determining** annual premium paid by the employer for workers'  
27 compensation insurance under this Chapter. **The group self insurance fund shall**  
28 **apply the loss experience modifier authorized by R.S. 23:1196.**"