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Regular Session, 2010

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HOUSE BILL NO. 1034

BY REPRESENTATIVE RICHMOND

WORKERS COMPENSATION: Provides workers' compensation coverage for reserve police officers

1 AN ACT

To amend and reenact R.S. 23:1034(A), relative to workers' compensation coverage for

3 reserve police officers; to provide for the coverage of reserve police officers; to

provide for medical benefits and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1034(A) is hereby amended and reenacted to read as follows:

§1034. Public employees; exclusiveness of remedies

A.(1) The provisions of this Chapter shall apply to every person in the service of the state or a political subdivision thereof, or of any incorporated public board or commission authorized to hold property and to sue and be sued, under any appointment or contract of hire, express or implied, oral or written, except an official of the state or a political subdivision thereof or of any such incorporated public board or commission; and for such employee and employer the payment of compensation according to and under the terms, conditions, and provisions set out in this Chapter shall be exclusive, compulsory, and obligatory; provided that one employed by a contractor who has contracted with the state or other political subdivision, or incorporated public board or commission through its proper representative, shall not be considered an employee of the state, or other political subdivision, or incorporated public board or commission; further, provided that members of the police department, or municipal employees performing police services for any municipality

Page 1 of 2

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 who are not elected officials shall be covered by this Chapter and shall be eligible 2 for compensation; and provided further that criminal deputy sheriffs for the parish 3 of Orleans shall be covered by this Chapter and shall be eligible for compensation 4 as provided herein. (2) Nothing in this Section shall prohibit any municipality from electing to 5 provide coverage for reserve police officers. When such election is made, the reserve 6 7 police officer is entitled to medical benefits pursuant to R.S. 23:1203 et seq. Any 8 reserve police officer who is not carried on the membership list of the municipality's 9 police department as of the date of the reserve police officer's injury shall not be 10 entitled to the benefits provided pursuant to this Chapter. 11

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Richmond HB No. 1034

Abstract: Provides relative to workers' compensation for reserve police officers.

<u>Present law</u> provides that members of police departments or municipal employees performing police duties shall be covered by workers' compensation.

<u>Proposed law</u> retains <u>present law</u>, and provides that municipalities may elect to provide coverage for reserve police officers. Further provides that in such cases, a reserve police officer is entitled to medical benefits pursuant to <u>present law</u>. The reserve police officer shall not be entitled to benefits under <u>present law</u> if he is not a member of the municipality's police department at the time of injury.

(Amends R.S. 23:1034(A))