

SENATE BILL NO. 430

BY SENATOR MURRAY

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AN ACT

To amend and reenact R.S. 23:1209(A)(3), and to enact R.S. 23:1209(A)(4), relative to workers' compensation; provides for the prescriptive period of developmental injury; to provide for payout of temporary total disability benefits under certain circumstances; 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 and R.S. 23:1209(A)(4) is hereby enacted 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.

(4) However, in all cases described in Paragraph (3) of this Subsection, where the proceedings have begun after two years from the date of the work accident but within three years from the date of the work accident, the employee may be entitled to temporary total disability benefits for a period not to exceed six months and the payment of such temporary total disability benefits in accordance with this Paragraph only shall not operate to toll or interrupt

1 prescription as to any other benefit as provided in R.S. 23:1221.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____