

Regular Session, 2010

SENATE BILL NO. 459

BY SENATOR MARTINY

WORKERS' COMPENSATION. Provides for a credit for compensation benefits payable to a professional athlete who receives payment pursuant to the provisions, including injury provisions, contained in a contract or collective bargaining agreement. (gov sig)

1 AN ACT

2 To enact R.S. 23:1225(D), relative to workers' compensation benefits to professional
3 athletes; to provide for a reduction of offset of certain benefits; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1225(D) is hereby enacted to read as follows:

7 **D. The compensation benefits payable to a professional athlete under**
8 **any provision of this Chapter shall be reduced or offset by an amount equal to**
9 **the total amount of benefits, wages, or other type of payment, including, but not**
10 **limited to the listing in this Subsection, on a dollar-for-dollar basis and not**
11 **merely on a week-to-week basis, if a professional athlete receives payment or**
12 **remuneration of any type from any of the following:**

13 **(1) Any wages or benefits payable or paid to the athlete.**

14 **(2) A collective bargaining agreement.**

15 **(3) A contract of hire of any type.**

16 **(4) Any type of severance pay.**

17 **(5) Any type of injured reserve pay.**

- 1 **(6) Any type of termination pay.**
- 2 **(7) Any grievance or settlement pay.**
- 3 **(8) Any workers' compensation benefit of any type.**
- 4 **(9) Any other payment made to the professional athlete by the employer**
- 5 **pursuant to any and all contracts of agreement.**

6 Section 2. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Mary Dozier O'Brien.

DIGEST

Present law provides for no reduction or offset of workers' compensation benefits due to a professional athlete based upon other monies paid due to a contract or a collective bargaining agreement.

Proposed law provides for a dollar-for-dollar reduction of workers' compensation benefits payable to a professional athlete, regardless of the type of payment.

Proposed law lists the following possible sources of such payment to the professional athlete:

1. Any wages or benefits.
2. A collective bargaining agreement.
3. A contract.
4. Severance pay.
5. Injured reserve pay.
6. Termination pay.
7. Grievance or settlement pay.
8. Workers' compensation benefits.
9. Any other payment made to the professional athlete.

Effective upon signature of the governor.

(Adds R.S. 23:1225(D))