

VIRGINIA ACTS OF ASSEMBLY -- 2005 SESSION

CHAPTER 223

An Act to amend the Code of Virginia by adding in Chapter 1 of Title 65.2 a section numbered 65.2-103, relating to workers' compensation; providing coverage for members of the Virginia National Guard, Virginia State Defense Force or naval militia during response to orders.

[S 1035]

Approved March 20, 2005

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 1 of Title 65.2 a section numbered 65.2-103 as follows:

§ 65.2-103. Coverage of members of the Virginia National Guard, Virginia State Defense Force and naval militia during response to orders.

A claim for workers' compensation benefits shall be deemed to be in the course of employment with the Virginia National Guard, Virginia State Defense Force, or naval militia for any member thereof who, reacting to an order to report received while he is outside an assigned shift or work location, undertakes in direct obedience to a lawful military order travel by the most expeditious route to his designated place of state active duty pursuant to §§ 44-54.4, 44-75.1, and 44-78.1. Nothing in this section shall prohibit an employer from using any defense otherwise available under this title.