

2005 SESSION

INTRODUCED

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SENATE BILL NO. 1035

Offered January 12, 2005

Prefiled January 12, 2005

A *BILL 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 or Virginia State Defense Force during response to orders.*

Patron—Ruff

Referred to Committee on General Laws

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 of any member of the Virginia National Guard, Virginia State Defense Force, or naval militia 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.

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