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SENATE BILL NO. 823

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Commerce and Labor
on January 31, 2011)

(Patron Prior to Substitute—Senator Edwards)

A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 65.2 a section numbered 65.2-105, relating to a presumption that certain injuries occurring at a workplace are work related.

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 65.2-105 as follows:

§ 65.2-105. Presumption that certain injuries are work related.

In any claim for compensation, where the employee is physically or mentally unable to testify as confirmed by competent medical evidence and where there is un rebutted prima facie evidence that indicates that the injury was work related, it shall be presumed, in the absence of a preponderance of evidence to the contrary, that the injury was work related.

SENATE SUBSTITUTE

SB823S1