

2013 SESSION

INTRODUCED

13100110D

HOUSE BILL NO. 1305

Offered January 9, 2013

Prefiled August 9, 2012

A BILL to amend and reenact § 65.2-105 of the Code of Virginia, relating to workers' compensation; presumption; injuries in course of employment.

Patron—Habeeb

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That § 65.2-105 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-105. Presumption that certain injuries arose out of and were in the course of employment.

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

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HB1305