

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 65.2-105 of the Code of Virginia, relating to workers' compensation;*
3 *presumption; injuries in course of employment.*

4 [H 1305]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 65.2-105 of the Code of Virginia is amended and reenacted as follows:**8 **§ 65.2-105. Presumption that certain injuries arose out of and in the course of employment.**

9 In any claim for compensation, where the employee is physically or mentally unable to testify as
10 confirmed by competent medical evidence and where there is ~~unrebutted prima facie evidence that~~
11 ~~indicates that the injury~~ *the factual circumstances are of sufficient strength from which the only rational*
12 *inference to be drawn is that the accident arose out of and was in the course of employment, it shall be*
13 *presumed; in the absence of the accident arose out of and in the course of employment, unless such*
14 *presumption is overcome by a preponderance of competent evidence to the contrary; that the injury arose*
15 *out of and was in the course of employment.*

ENROLLED

HB1305ER