

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 9 of Chapter 14 of Title 8.01 a section*
3 *numbered 8.01-420.5 and by adding a section numbered 65.2-706.1, relating to workers'*
4 *compensation; determination of employment status.*

5 [H 1596]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That the Code of Virginia is amended by adding in Article 9 of Chapter 14 of Title 8.01 a**
9 **section numbered 8.01-420.5 and by adding a section numbered 65.2-706.1 as follows:**

10 *§ 8.01-420.5. Estoppel effect of judicial determination of employment status.*

11 *A final, unappealed order entered by a circuit court of this Commonwealth that a person is or is not*
12 *an employee of another for the purpose of obtaining jurisdiction shall estop either of said parties from*
13 *asserting otherwise in any subsequent action between such parties upon the same claim or cause of*
14 *action before a court of this Commonwealth or the Virginia Workers' Compensation Commission.*

15 *§ 65.2-706.1. Estoppel effect of a Virginia Workers' Compensation Commission determination of*
16 *employment status.*

17 *A final, unappealed award by the Virginia Workers' Compensation Commission that a person is or is*
18 *not an employee of another for the purpose of obtaining jurisdiction shall estop either of said parties*
19 *from asserting otherwise in any subsequent action between such parties upon the same claim or cause*
20 *of action in a court of this Commonwealth.*

ENROLLED

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