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HOUSE BILL NO. 1749

Offered January 9, 2019

Prefiled December 20, 2018

A *BILL to amend and reenact § 65.2-508 of the Code of Virginia, relating to workers' compensation; foreign injuries.*

Patrons—Carter, Kory, Levine, Plum, Rasoul and Rodman

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:**1. That § 65.2-508 of the Code of Virginia is amended and reenacted as follows:****§ 65.2-508. Foreign injuries.**

A. When an accident happens while the employee is employed elsewhere than in ~~this the~~ Commonwealth ~~which that~~ would entitle him or his dependents to compensation if it had happened in ~~this the~~ Commonwealth, the employee or his dependents shall be entitled to compensation, if:

1. The *employee does not have a* contract of employment ~~was made in this expressly for service exclusively outside of the~~ Commonwealth; and

2. *Either:*

a. The employer's place of business is in ~~this the~~ Commonwealth; *or*
~~provided the contract of employment was not expressly for service exclusively outside of the~~ Commonwealth

b. *The employee (i) regularly performs work on the employer's behalf in the Commonwealth and (ii) resides in the Commonwealth.*

B. However, if an employee shall receive compensation or damages under the laws of any other state, nothing herein contained shall be construed so as to permit a total compensation for the same injury greater than is provided for in this title.

INTRODUCED

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