



General Assembly

Amendment

January Session, 2001

LCO No. 5765

Offered by:

SEN. HARP, 10th Dist.

SEN. PRAGUE, 19th Dist.

To: Senate Bill No. 1196

File No. 320

Cal. No. 248

"AN ACT CONCERNING PENALTIES FOR LATE WORKERS' COMPENSATION PAYMENTS."

1 After line 111, insert the following:

2 "Sec. 3. Subsection (a) of section 31-284 of the general statutes is
3 repealed and the following is substituted in lieu thereof:

4 (a) [An] Except as provided in section 4 of this act, an employer
5 [who] that complies with the requirements of subsection (b) of this
6 section shall not be liable for any action for damages on account of
7 personal injury sustained by an employee arising out of and in the
8 course of [his] the injured employee's employment or on account of
9 death resulting from personal injury so sustained, but an employer
10 shall secure compensation for [his] its employees as provided under
11 this chapter, except that compensation shall not be paid when the
12 personal injury has been caused by the wilful and serious misconduct
13 of the injured employee or by [his] the injured employee's intoxication.
14 All rights and claims between an employer [who] that complies with

15 the requirements of subsection (b) of this section and employees, or
16 any representatives or dependents of such employees, arising out of
17 personal injury or death sustained in the course of employment are
18 abolished other than rights and claims given by this chapter, provided
19 nothing in this section shall prohibit any employee from securing, by
20 agreement with [his] the employee's employer, additional
21 compensation from [his] such employer for the injury or from
22 enforcing any agreement for additional compensation.

23 Sec. 4. (NEW) Notwithstanding the provisions of subsection (a) of
24 section 31-284 of the general statutes, as amended by this act, in
25 addition to any compensation awarded under chapter 568 of the
26 general statutes, a dependent or dependents, or the legal
27 representative of a deceased employee may bring an action for reckless
28 and wanton misconduct in the superior court against the decedent's
29 employer to recover damages resulting from the death, provided the
30 death results from a personal injury arising out of and in the course of
31 the decedent's employment."