



General Assembly

Substitute Bill No. 168

February Session, 2010

* _____SB00168APP__041310_____*

AN ACT CONCERNING WORKERS' COMPENSATION AND A POLICE OFFICER'S USE OF DEADLY FORCE ON A MAMMAL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivisions (16) and (17) of section 31-275 of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective from passage and applicable to any claim pending on or filed on or*
4 *after said date*):

5 (16) (A) "Personal injury" or "injury" includes, in addition to
6 accidental injury that may be definitely located as to the time when
7 and the place where the accident occurred, an injury to an employee
8 that is causally connected with the employee's employment and is the
9 direct result of repetitive trauma or repetitive acts incident to such
10 employment, and occupational disease.

11 (B) "Personal injury" or "injury" shall not be construed to include:

12 (i) An injury to an employee that results from the employee's
13 voluntary participation in any activity the major purpose of which is
14 social or recreational, including, but not limited to, athletic events,
15 parties and picnics, whether or not the employer pays some or all of
16 the cost of such activity;

17 (ii) A mental or emotional impairment, unless such impairment

18 arises (I) from a physical injury or occupational disease, or (II) in the
19 case of a police officer, from such police officer's use of deadly force or
20 subjection to deadly force in the line of duty, regardless of whether
21 such police officer is physically injured, provided such police officer is
22 the subject of an attempt by another person to cause such police officer
23 serious physical injury or death through the use of deadly force, and
24 such police officer reasonably believes such police officer to be the
25 subject of such an attempt, or from such police officer's interaction
26 with a mammal in the line of duty, regardless of whether such police
27 officer is physically injured, provided the mammal displayed behavior
28 during the interaction that resulted in the police officer reasonably
29 believing that he or she was in imminent danger of serious physical
30 injury or death from such mammal. As used in this clause, "police
31 officer" means a member of the Division of State Police within the
32 Department of Public Safety, an organized local police department or a
33 municipal constabulary, and "in the line of duty" means any action that
34 a police officer is obligated or authorized by law, rule, regulation or
35 written condition of employment service to perform, or for which the
36 police officer is compensated by the public entity such officer serves;

37 (iii) A mental or emotional impairment that results from a personnel
38 action, including, but not limited to, a transfer, promotion, demotion
39 or termination; or

40 (iv) Notwithstanding the provisions of subparagraph (B)(i) of this
41 subdivision, "personal injury" or "injury" includes injuries to
42 employees of local or regional boards of education resulting from
43 participation in a school-sponsored activity but does not include any
44 injury incurred while going to or from such activity. As used in this
45 clause, "school-sponsored activity" means any activity sponsored,
46 recognized or authorized by a board of education and includes
47 activities conducted on or off school property and "participation"
48 means acting as a chaperone, advisor, supervisor or instructor at the
49 request of an administrator with supervisory authority over the
50 employee.

51 (17) "Physician" includes any person licensed and authorized to
52 practice a healing art, as defined in section 20-1, and licensed under the
53 provisions of chapters 370, 372 and 373 to practice in this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage and applicable to any claim pending on or filed on or after said date</i>	31-275(16) and (17)

APP Joint Favorable Subst.