



General Assembly

February Session, 2010

**Amendment**

LCO No. 5089

**\*SB0016805089HRO\***

Offered by:  
REP. CHAPIN, 67<sup>th</sup> Dist.

To: Subst. Senate Bill No. 168      File No. 609      Cal. No. 446

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

1      Strike everything after the enacting clause and substitute the  
2      following in lieu thereof:

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4      statutes are repealed and the following is substituted in lieu thereof  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

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

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

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

19 (ii) A mental or emotional impairment, unless such impairment  
20 arises (I) from a physical injury or occupational disease, or (II) in the  
21 case of a police officer, from such police officer's use of deadly force or  
22 subjection to deadly force in the line of duty, regardless of whether  
23 such police officer is physically injured, provided such police officer is  
24 the subject of an attempt by another person to cause such police officer  
25 serious physical injury or death through the use of deadly force, and  
26 such police officer reasonably believes such police officer to be the  
27 subject of such an attempt, or from such police officer's interaction  
28 with an animal in the line of duty, regardless of whether such police  
29 officer is physically injured, provided the animal displayed behavior  
30 during the interaction that resulted in the police officer reasonably  
31 believing that he or she was in imminent danger of serious physical  
32 injury or death from such animal. As used in this clause, "police  
33 officer" means a member of the Division of State Police within the  
34 Department of Public Safety a conservation officer or special  
35 conservation officer appointed under section 26-5, an organized local  
36 police department or a municipal constabulary, "animal" means any  
37 potentially dangerous animal, as defined in section 26-40a, or any  
38 primate species, and "in the line of duty" means any action that a  
39 police officer is obligated or authorized by law, rule, regulation or  
40 written condition of employment service to perform, or for which the  
41 police officer is compensated by the public entity such officer serves;

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

45 (iv) Notwithstanding the provisions of subparagraph (B)(i) of this  
46 subdivision, "personal injury" or "injury" includes injuries to

47 employees of local or regional boards of education resulting from  
 48 participation in a school-sponsored activity but does not include any  
 49 injury incurred while going to or from such activity. As used in this  
 50 clause, "school-sponsored activity" means any activity sponsored,  
 51 recognized or authorized by a board of education and includes  
 52 activities conducted on or off school property and "participation"  
 53 means acting as a chaperone, advisor, supervisor or instructor at the  
 54 request of an administrator with supervisory authority over the  
 55 employee.

56 (17) "Physician" includes any person licensed and authorized to  
 57 practice a healing art, as defined in section 20-1, and licensed under the  
 58 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)