



House of Representatives

General Assembly

File No. 188

February Session, 2016

House Bill No. 5364

House of Representatives, March 24, 2016

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE FILING OF WORKERS' COMPENSATION CLAIMS WHEN A MUNICIPALITY IS THE EMPLOYER.

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

1 Section 1. Subsection (a) of section 31-294c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2016*):

4 (a) No proceedings for compensation under the provisions of this
5 chapter shall be maintained unless a written notice of claim for
6 compensation is given within one year from the date of the accident or
7 within three years from the first manifestation of a symptom of the
8 occupational disease, as the case may be, which caused the personal
9 injury, provided, if death has resulted within two years from the date
10 of the accident or first manifestation of a symptom of the occupational
11 disease, a dependent or dependents, or the legal representative of the
12 deceased employee, may make claim for compensation within the two-
13 year period or within one year from the date of death, whichever is
14 later. Notice of [a] claim for compensation may be given to the

15 employer or any commissioner and shall state, in simple language, the
 16 date and place of the accident and the nature of the injury resulting
 17 from the accident, or the date of the first manifestation of a symptom
 18 of the occupational disease and the nature of the disease, as the case
 19 may be, and the name and address of the employee and of the person
 20 in whose interest compensation is claimed. An employee of the state
 21 shall send a copy of the notice to the Commissioner of Administrative
 22 Services. An employee of a municipality shall send a copy of the notice
 23 to the town clerk of the municipality in which he or she is employed.
 24 As used in this section, "manifestation of a symptom" means
 25 manifestation to an employee claiming compensation, or to some other
 26 person standing in such relation to him that the knowledge of the
 27 person would be imputed to him, in a manner that is or should be
 28 recognized by him as symptomatic of the occupational disease for
 29 which compensation is claimed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2016	31-294c(a)

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which specifies that municipal employees must send workers' compensation claims to their town clerk, has no fiscal impact as it is clarifying current practice.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**HB 5364*****AN ACT CONCERNING THE FILING OF WORKERS' COMPENSATION CLAIMS WHEN A MUNICIPALITY IS THE EMPLOYER.*****SUMMARY:**

This bill requires a municipal employee who files a claim with the Workers' Compensation Commission to send a copy of the notice of the claim to the town clerk of the municipality where he or she works.

By law, an employee must notify his or her employer or a workers' compensation commissioner of the claim and a state employee must send a copy of the notice to the administrative services commissioner. The notice must state the (1) date and place of the accident and nature of the injury or date an occupational disease's symptom first became clear and the nature of the disease and (2) name and address of the employee and person in whose interest compensation is claimed.

EFFECTIVE DATE: July 1, 2016

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 42 Nay 0 (03/11/2016)