

By: Senator(s) Kirby

To: Insurance; Judiciary

SENATE BILL NO. 2714

1 AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED WITHIN  
2 CHAPTER 3 OF TITLE 71, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
3 NO WORKERS' COMPENSATION SHALL BE PAID TO AN EMPLOYEE WHILE THE  
4 EMPLOYEE IS INCARCERATED; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. (1) Notwithstanding any other provision of this  
7 chapter, an injured worker is not eligible to receive compensation  
8 benefits or medical expenses for periods of time during which the  
9 worker is incarcerated for the commission of a crime, unless the  
10 injured worker had been "found" to have a permanent and total loss  
11 of wage earning capacity which was attributable to the work  
12 related injury.

13 (2) As used in this section, an individual is not  
14 "incarcerated" if the individual is on parole or work release  
15 status.

16 (3) If upon appeal, such conviction is overturned, the  
17 benefits suspended during the period of incarceration shall be  
18 reinstated.

19 SECTION 2. Section 1 of this act shall be codified as a  
20 separate section within Chapter 3 of Title 71, Mississippi Code of  
21 1972.

22 SECTION 3. This act shall take effect and be in force from  
23 and after July 1, 1999.