

By: Senator(s) Hewes

To: Insurance

SENATE BILL NO. 2391

1 AN ACT TO AMEND SECTION 71-3-1, MISSISSIPPI CODE OF 1972, TO
2 DECLARE THE INTENT OF THE LEGISLATURE THAT THE MISSISSIPPI
3 WORKERS' COMPENSATION LAW SHALL BE FAIRLY, IMPARTIALLY AND
4 EVEN-HANDEDLY CONSTRUED IN SUCH A MANNER THAT NO PARTY IS FAVORED;
5 AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 71-3-1, Mississippi Code of 1972, is
8 amended as follows:

9 71-3-1. This chapter shall be known and cited as "Workers'
10 Compensation Law," and shall be administered by the Workers'
11 Compensation Commission, hereinafter referred to as the
12 "commission," cooperating with other state and federal authorities
13 for the prevention of injuries and occupational diseases to
14 workers and, in event of injury or occupational disease, their
15 rehabilitation or restoration to health and vocational
16 opportunity; and this chapter shall be fairly construed according
17 to the law and the evidence.

18 It is the specific intention of the Legislature that the
19 Workers' Compensation Law shall be fairly, impartially and
20 even-handedly construed in such a manner that no party to any
21 workers' compensation proceeding is favored and that all evidence
22 shall be fairly and impartially construed in such a manner that no
23 fact-finding by the commission shall favor any party in any
24 proceeding under this chapter. Any violation of this legislative
25 mandate shall constitute a lack of substantial evidence with
26 regard to fact-findings of the commission and shall constitute
27 reversible error as a matter of law.

28 Wherever used in this chapter, or in any other statute or
29 rule or regulation affecting the former Workmen's Compensation Law
30 and any of its functions or duties:

31 (a) The words "workmen's compensation" shall mean
32 "workers' compensation"; and

33 (b) The word "commission" shall mean the Workers'
34 Compensation Commission.

35 **SECTION 2.** This act shall take effect and be in force from
36 and after July 1, 2004.