

By: Representative Formby

To: Insurance; Judiciary A

HOUSE BILL NO. 1146

1 AN ACT TO AMEND SECTION 71-3-1, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE WORKERS' COMPENSATION LAW SHALL BE IMPARTIALLY
3 CONSTRUED AND APPLIED AND SHALL NOT BE PRESUMED TO FAVOR ONE PARTY
4 OVER ANOTHER; AND FOR RELATED PURPOSES.

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

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

8 71-3-1. This chapter shall be known and cited as "Workers'
9 Compensation Law," and shall be administered by the Workers'
10 Compensation Commission, hereinafter referred to as the
11 "commission," cooperating with other state and federal authorities
12 for the prevention of injuries and occupational diseases to
13 workers and, in event of injury or occupational disease, their
14 rehabilitation or restoration to health and vocational
15 opportunity; and this chapter shall be fairly and impartially
16 construed and applied according to the law and the evidence in the
17 record, and this act shall not be presumed to favor one party over
18 another. The case law holding that this chapter be liberally
19 construed and that doubtful cases should be compensated is
20 expressly overruled.

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

24 (a) The words "workmen's compensation" shall mean
25 "workers' compensation"; and

26 (b) The word "commission" shall mean the Workers'
27 Compensation Commission.

28 **SECTION 2.** This act shall take effect and be in force from
29 and after July 1, 2006.