

By: Representative Guice

To: Insurance; Judiciary A

HOUSE BILL NO. 654

1 AN ACT TO AMEND SECTION 71-3-109, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE STATE WORKERS' COMPENSATION LAW SHALL NOT
3 APPLY TO AN EMPLOYEE REGULARLY EMPLOYED IN THIS STATE IF THE
4 ACCIDENT CAUSING INJURY OR DEATH OCCURS ON OR AFTER JULY 1, 2007,
5 WHILE THE EMPLOYEE IS EMPLOYED OUTSIDE THIS STATE; AND FOR RELATED
6 PURPOSES.

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

8 **SECTION 1.** Section 71-3-109, Mississippi Code of 1972, is
9 amended as follows:

10 71-3-109. (1) If an employee who has been hired or is
11 regularly employed in this state receives personal injury by
12 accident arising out of and in the course of his employment while
13 temporarily employed outside of this state, he or his dependents
14 in case of his death shall be entitled to compensation according
15 to the law of this state. This provision shall apply only to
16 those injuries received by the employee within six (6) months
17 after leaving this state unless, prior to the expiration of such
18 six (6) months' period, the employer has filed with the commission
19 of Mississippi notice that he has elected to extend such coverage
20 a greater period of time. However, this subsection shall not
21 apply to an employee if the accident causing injury or death
22 occurs on or after July 1, 2007, while the employee is employed
23 outside of this state.

24 (2) The provisions of this section shall not apply to an
25 employee whose departure from this state is caused by a permanent
26 assignment or transfer.

27 (3) Any employee who has been hired or is regularly employed
28 outside of this state and his employer shall be exempted from the
29 provisions of this chapter while such employee is temporarily

30 within this state doing work for his employer if such employer has
31 furnished workers' compensation insurance coverage under the
32 workers' compensation or similar laws for a state other than this
33 state so as to cover such employee's employment while in this
34 state, provided the extra-territorial provisions of this chapter
35 are recognized in such other state and provided employers and
36 employees who are covered in this state are likewise exempted from
37 the application of the workers' compensation or similar laws of
38 such other state. The benefits under the workers' compensation or
39 similar laws of such other state shall be the exclusive remedy
40 against such employer for any injury, whether resulting in death
41 or not, received by such employee while working for such employer
42 in this state.

43 **SECTION 2.** This act shall take effect and be in force from
44 and after July 1, 2007.