

By: Representative Watson

To: Insurance

HOUSE BILL NO. 872

1 AN ACT TO AMEND SECTION 71-3-51, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT DECISIONS MADE BY THE WORKERS' COMPENSATION
3 COMMISSION MAY BE APPEALED DIRECTLY TO THE STATE SUPREME COURT;
4 AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 71-3-51, Mississippi Code of 1972, is
7 amended as follows:

8 71-3-51. The final award of the commission shall be
9 conclusive and binding unless either party to the controversy
10 shall, within thirty (30) days from the date of its filing in the
11 office of the commission and notification to the parties, appeal
12 therefrom to the State Supreme Court.

13 Such appeal may be taken by filing notice of appeal with the
14 commission, whereupon the commission shall under its certificate
15 transmit to the State Supreme Court all documents and papers on
16 file in the matter, together with a transcript of the evidence,
17 the findings, and award, which shall thereupon become the record
18 of the cause. Appeals shall be considered only upon the record as
19 made before the commission. The State Supreme Court shall always
20 be deemed open for hearing of such appeals, * * * and the same
21 shall have precedence over all civil cases except election
22 contests. The State Supreme Court shall review all questions of
23 law and of fact. If no prejudicial error be found, the matter
24 shall be affirmed and remanded to the commission for enforcement.

25 If prejudicial error be found, the same shall be reversed and the
26 State Supreme Court shall enter such judgment or award as the
27 commission should have entered. * * * An appeal from the

28 commission to the State Supreme Court shall not act as a
29 supersedeas unless the court * * * shall so direct, and then upon
30 such terms as such court shall direct.

31 No controversy shall be heard by the commission or an award
32 of compensation made therein while the same matter is pending
33 either before a federal court or in any court in this state.

34 Any award of compensation made by the * * * Supreme Court
35 shall bear the same interest and penalties as do other judgments
36 awarded in the Supreme Court.

37 SECTION 2. This act shall take effect and be in force from
38 and after July 1, 1999.