

SECOND REGULAR SESSION

HOUSE BILL NO. 1274

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SECREST.

Pre-filed December 18, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3359L.011

AN ACT

To repeal section 287.800, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 287.800, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 287.800, to read as follows:

287.800. All of the provisions of this chapter shall be **impartially and not** liberally construed with a view to the public welfare, [and a substantial compliance therewith shall be sufficient to give effect to rules, regulations, requirements, awards, orders or decisions of the division and the commission, and they shall not be declared inoperative, illegal or void for any omission of a technical nature in respect thereto] **in order to provide fairness for both employees and employers and to promote ever-increasing economic vitality for this state. The facts in workers' compensation cases are not to be interpreted liberally in favor of either the rights of the injured worker or the rights of the employer. It is the specific intent of the general assembly that workers' compensation cases shall be decided on the merits and that the common law rule of "liberal construction" based on the supposed "remedial" basis of workers' compensation legislation shall not apply in such cases.**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.