

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 2039

By: Sullivan

4 AS INTRODUCED

5 An Act relating to workers' compensation; amending 85
6 O.S. 2001, Section 4, which relates to certain
7 injuries occurring outside state; clarifying
language; and providing an effective date.

8
9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 85 O.S. 2001, Section 4, is
12 amended to read as follows:

13 Section 4. ~~From and after the passage and effective date of the~~
14 The Workers' Compensation Act, all the provisions of the Workers'
15 Compensation Act of this state, Sections 1 et seq. through 211 of
16 this title, shall apply to employers and to employees, irrespective
17 of where an accident resulting in injury may occur, whether within
18 or without the territorial limits of the State of Oklahoma state,
19 when the contract of employment was entered into within the State of
20 Oklahoma state, and the said employee was acting in the course of
21 such employment and performing work outside the territorial limits
22 of this state under direction of such the employer. In such case an
23 employee is injured outside the state, the injured employee may
24 elect to commence and maintain his an action for benefits and

1 compensation in the ~~State of Oklahoma~~ state as provided in the
2 Workers' Compensation Act and the Court is hereby vested with
3 jurisdiction ~~thereof as fully~~ as if such injury or accident had
4 occurred within this state. Such right of election shall, however,
5 not preclude the injured employee from recovering any benefits or
6 compensation provided under any law of the state where injury
7 occurred, and if ~~such an~~ an action ~~be so~~ is commenced in ~~such other~~
8 another state, or under the law of another state, and is prosecuted
9 to final determination, ~~such the~~ the employee shall ~~thereupon~~ be
10 precluded from ~~his~~ any right of action under the Workers'
11 Compensation Act of this state. Provided, the injured employee may
12 exercise ~~his the~~ the right of election to file ~~his a~~ a claim or commence
13 ~~his said an~~ an action or proceeding in the ~~State of Oklahoma~~ state, at
14 ~~any time~~ prior to final adjudication or determination of ~~his the~~ the
15 rights of the injured employee under the laws of another state, and
16 the fact that ~~he the~~ the injured employee shall have been furnished or
17 provided with medical, surgical, hospital or other treatment care,
18 or paid temporary disability compensation in ~~such the~~ the other state,
19 or under the laws thereof, shall not preclude ~~such the~~ the injured
20 employee from recovering further benefits and compensation under the
21 Workers' Compensation Act of this state. Provided, ~~further,~~ no
22 award made by the Court of this state shall include any compensation
23 paid by the employer or insurance carrier before commencement of the
24 action or proceeding in this state and any payments ~~so~~ made shall be

1 treated as compensation voluntarily paid and credit therefor shall
2 be allowed.

3 The ~~State of Oklahoma~~ state accepts the provisions of the Acts
4 of Congress designated as Public Law No. 814, 49 Statutes 1938, and
5 hereby extends the territorial jurisdiction of the Workers'
6 Compensation Act of this state to all lands and premises owned or
7 held by the Government of the United States of America, by deed or
8 act of cession, by purchase or otherwise, which are within the
9 exterior boundaries of this state, and to all purchases, buildings,
10 constructions, improvements or property belonging to the Government
11 of the United States of America, which are within the exterior
12 boundaries of this state, in the same manner and to the same extent
13 as if said premises were under the exclusive jurisdiction of the
14 State of Oklahoma, subject only to the limitations placed thereon by
15 the Act of Congress.

16 SECTION 2. This act shall become effective November 1, 2011.

17
18 53-1-5977 SDR 01/03/11
19
20
21
22
23
24