

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 243

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO WORKER'S COMPENSATION PROCEDURES; AMENDING SECTION 72-701,  
2 IDAHO CODE, TO REMOVE AN EXCEPTION TO A REQUIRED TIME PERIOD, TO PROVIDE  
3 THAT THE GIVING OF NOTICE IS NOT REQUIRED UNDER CERTAIN CIRCUMSTANCES,  
4 AND TO PROVIDE THAT THE FILING OF A CERTAIN APPLICATION SHALL ALSO CON-  
5 STITUTE A CLAIM; AND DECLARING AN EMERGENCY.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 72-701, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 72-701. NOTICE OF INJURY AND CLAIM FOR COMPENSATION FOR INJURY -- LIM-  
11 ITATIONS. No proceedings under this law shall be maintained unless a notice  
12 of the accident shall have been given to the employer as soon as practicable  
13 but not later than sixty (60) days after the happening thereof, and unless a  
14 claim for compensation with respect thereto shall have been made within one  
15 (1) year after the date of the accident or, in the case of death, then within  
16 one (1) year after such death, whether or not a claim for compensation has  
17 been made by the employee. Such notice and such claim may be made by any per-  
18 son claiming to be entitled to compensation or by someone in his behalf. If  
19 payments of compensation have been made voluntarily ~~or if an application re-~~  
20 ~~questing a hearing has been filed with the commission, the giving of notice~~  
21 or the making of a claim within said period shall not be required. The filing  
22 with the commission of an application requesting a hearing shall also con-  
23 stitute a claim.

24 SECTION 2. An emergency existing therefor, which emergency is hereby  
25 declared to exist, this act shall be in full force and effect on and after its  
26 passage and approval.