SLS 10RS-229

ORIGINAL

Regular Session, 2010

SENATE BILL NO. 17

BY SENATOR MURRAY

WORKERS' COMPENSATION. Provides relative to determinations of average weekly wage of professional athletes. (8/15/10)

1	AN ACT
2	To amend and reenact R.S. 23:1021(12)(c), relative to definition of wages for purposes of
3	workers' compensation benefits; to provide for computation of average weekly wage
4	for professional athletes entitled to workers' compensation; and to provide for related
5	matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 23:1021(12)(c) is hereby amended and reenacted to read as follows:
8	(12) "Wages" means average weekly wage at the time of the accident. The
9	average weekly wage shall be determined as follows:
10	* * *
11	(c) Annual wages.
12	(i) If the employee is employed at an annual salary, his annual salary divided
13	by fifty-two.
14	(ii) If the employee is a professional athlete who signs a contract of hire
15	on an annual basis, average weekly wage shall be determined by the annual
16	<u>contract agreement in force at the time of the injury, dividing that annual salary</u>
17	by fifty-two. This shall be the computation without regard as to when the

Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	professional athlete was injured, whether during the season or during off-season
2	training sessions or whether the athlete was a member of the active, reserve,
3	injured reserve, or practice squad roster at the time of his work-related injury.
4	* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Mary Dozier O'Brien.

DIGEST

<u>Present law</u> provides for the use of actual current earnings in the computation of average weekly wage rather than the annual contractual earnings for all workers, including professional athletes under contract.

<u>Proposed law</u> would provide an exception to this general rule in the case of professional athletes who have signed a contract for hire. <u>Proposed law</u> would require, in the case of these athletes, that the annual contractual salary stipulated in the current contract agreement be divided by 52 to determine average weekly wage.

<u>Proposed law</u> would provide that the use of the annual contractual salary divided by 52 shall be paid whether the work-related injury occurred during the season or in the off-season.

<u>Proposed law</u> would provide that the use of the annual contractual salary divided by 52 shall be employed whether the athlete was on the active, reserve, injured reserve, or practice squad roster at the time of the work-related injury.

Effective August 15, 2010.

(Amends R.S. 23:1021(12)(c))