

SENATE BILL 509

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 50,
Chapter 6, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-6-112(a), is amended by deleting the language "against the other person." and substitute instead the language "against the other person; provided, however, the court shall apportion fault to the employer and reduce the recovery awarded to the injured worker or to whom the injured workers' right of action survives at law based on the percentage of fault apportioned to such employer".

SECTION 2. Tennessee Code Annotated, Section 50-6-112(c), is amended by adding the following new subdivision thereto:

(4) Any subrogation lien or credit that is due to an employer pursuant to this subsection shall be reduced by the percentage of fault that was apportioned to the employer by a court.

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it, and shall apply to subrogation rights for injuries occurring on or after the effective date of this act.