WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

HOUSE BILL No. 284

(By Mr. [Signature])

PASSED March 7, 1941

In Effect from Passage
ENROLLED

House Bill No. 284

(By Mr. Kidd)

[Passed March 7, 1941; in effect from passage.]

AN ACT authorizing the state compensation commissioner to reopen the case of Okie E. Knight.

WHEREAS, On October 27, one thousand nine hundred thirty-two, while employed by the state road commission, as a laborer, Okie E. Knight of Burnsville, Braxton county, West Virginia, received an injury which resulted in a fracture of his pelvis; and

WHEREAS, The employer of the said Okie E. Knight was at the time of the aforesaid injury a subscriber in good standing to the workmen’s compensation fund; and

WHEREAS, The claimant was granted a partial permanent disability award and was last paid thereunder on the thirtieth day of September, one thousand nine hundred thirty-seven, and did not within one year thereafter comply with the provisions of section sixteen, article four, chapter twenty-three of
the code of West Virginia, one thousand nine hundred thirty-one, as amended, by making a proper application for the reopening of his said claim, and as a result of his failure to so comply with the statute, the workmen's compensation commissioner is without authority to reopen said claim; therefore

Be it enacted by the Legislature of West Virginia:

Section 1. Compensation Commissioner Authorized to Reopen Case of Okie E. Knight.—The state compensation commissioner is hereby authorized to reopen the case of Okie E. Knight, notwithstanding the fact that he failed to comply with the provisions of section sixteen, article four, chapter twenty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, in that he did not within one year after the date of the last payment of compensation to him make a proper application for a further adjustment of his claim, and the said state compensation commissioner is further authorized to make such disposition of the case as would have been proper had the said Okie E. Knight complied with the requirements of the said statute by submitting a proper application for the reopening of his claim within the
proper time, and to allow the said Okie E. Knight such
further compensation as the evidence and the claimant's
physical condition warrant.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 14th day of March, 1941.

Governor.

Filed in the office of the Secretary of State of West Virginia.

Wm. S. O'Brien,
Secretary of State