

House File 2084 - Introduced

HOUSE FILE 2084
BY HORBACH

A BILL FOR

1 An Act relating to exclusion of injuries incurred in certain
2 voluntary recreational programs from workers' compensation.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 85.16, Code 2009, is amended to read as
2 follows:

3 **85.16 Willful injury — intoxication — voluntary recreation.**

4 No compensation under this chapter shall be allowed for an
5 injury caused:

6 1. By the employee's willful intent to injure the employee's
7 self or to willfully injure another.

8 2. By the employee's intoxication, which did not arise
9 out of and in the course of employment but which was due
10 to the effects of alcohol or another narcotic, depressant,
11 stimulant, hallucinogenic, or hypnotic drug not prescribed by
12 an authorized medical practitioner, if the intoxication was a
13 substantial factor in causing the injury.

14 3. By the willful act of a third party directed against the
15 employee for reasons personal to such employee.

16 4. By the employee's participation in voluntary
17 recreational programs including but not limited to athletic
18 events, parties, and picnics even though the employer pays some
19 or all of the cost of such programs. This exclusion shall not
20 apply if the injured employee was ordered or assigned by the
21 employer to participate in the program.

22 EXPLANATION

23 This bill provides that injuries incurred by an employee
24 while participating in voluntary recreational programs such as
25 athletic events, parties, and picnics are not compensable under
26 workers' compensation even though the employer pays some or all
27 of the cost of such programs. The exclusion is not applicable
28 if the injured employee was ordered or assigned by the employer
29 to participate in the program.