

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 113, Page 15, Section 287.170, Line 11,

2 of said page, by inserting after all of said line the following:

3 "287.430. Except for a claim for recovery filed against the
 4 second injury fund or a claim based on any injury caused by
 5 exposure to radiological materials or equipment, no proceedings
 6 for compensation under this chapter shall be maintained unless a
 7 claim therefor is filed with the division within two years after
 8 the date of injury or death, or the last payment made under this
 9 chapter on account of the injury or death, except that if the
 10 report of the injury or the death is not filed by the employer as
 11 required by section 287.380, the claim for compensation may be
 12 filed within three years after the date of injury, death, or last
 13 payment made under this chapter on account of the injury or
 14 death. The filing of any form, report, receipt, or agreement,
 15 other than a claim for compensation, shall not toll the running
 16 of the periods of limitation provided in this section. The
 17 filing of the report of injury or death three years or more after
 18 the date of injury, death, or last payment made under this
 19 chapter on account of the injury or death, shall not toll the
 20 running of the periods of limitation provided in this section,
 21 nor shall such filing reactivate or revive the period of time in

1 which a claim may be filed. A claim against the second injury
2 fund shall be filed within two years after the date of the injury
3 or within one year after a claim is filed against an employer or
4 insurer pursuant to this chapter, whichever is later. A claim
5 based on any injury caused by exposure to radiological materials
6 or equipment shall be filed within thirty years after the date of
7 the injury. In all other respects the limitations shall be
8 governed by the law of civil actions other than for the recovery
9 of real property, but the appointment of a conservator shall be
10 deemed the termination of the legal disability from minority or
11 disability as defined in chapter 475. The statute of limitations
12 contained in this section is one of extinction and not of
13 repose."; and

14 Further amend the title and enacting clause accordingly.