

April 6, 1999

S 768. WORKERS' COMP/THIRD PARTY ACTIONS. TO ALLOW JUDICIAL DISCRETION IN DETERMINING THE AMOUNT OF SUBROGATION OF EMPLOYERS' LIENS IN ACTIONS AGAINST THIRD PARTIES UNDER THE WORKERS' COMPENSATION ACT. Amends GS 97-10.2(j) to provide that if employee in workers' compensation case obtains judgment against or settlement from third party (party other than employer), superior court judge may, after hearing, determine the amount, whether based on accrued or prospective compensation, of the employer's lien and the cost of the third-party litigation to be shared between the employee and employer. Act effective when it becomes law and applicable to judgments against third parties entered on or after that date pursuant to GS 97-10.2.

Intro. by Miller.

Ref. to Judiciary II

GS 97