

CHAPTER 252

LABOR AND INDUSTRY

HOUSE BILL 99-1278

BY REPRESENTATIVES T. Williams, Dean, Gotlieb, Larson, Lee, May, McKay, Paschall, Spence, Spradley, and Stengel;
also SENATORS Lamborn and Tebedo.

AN ACT

CONCERNING ADMINISTRATIVE HEARINGS IN WORKERS' COMPENSATION CASES CONDUCTED BY
ADMINISTRATIVE LAW JUDGES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-43-210, Colorado Revised Statutes, is amended to read:

8-43-210. Evidence. NOTWITHSTANDING SECTION 24-4-105, C.R.S., the COLORADO rules of evidence ~~of~~ AND REQUIREMENTS OF PROOF FOR CIVIL NONJURY CASES IN the district courts shall apply in all hearings; except that medical and hospital records, physicians' reports, vocational reports, and records of the employer are admissible as evidence and can be filed in the record as evidence without formal identification if relevant to any issue in the case. Depositions may be substituted for testimony upon good cause shown. Convictions for alcohol-related offenses, pursuant to title 42 and title 18, C.R.S., the transcripts of proceedings leading to such convictions, and the court files relating to such convictions may be admissible in all hearings conducted under the "Workers' Compensation Act of Colorado" where such conviction resulted from the same occurrence, accident, or injury occurring on the job that forms the basis for the workers' compensation claim.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 29, 1999

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.