

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1612

By: Representative Miller
By: Senator J. Payton

For An Act To Be Entitled

AN ACT TO AMEND PORTIONS OF THE LAW REGARDING WORKERS' COMPENSATION PAYMENTS UNDER THE WORKERS' COMPENSATION LAW THAT RESULTED FROM INITIATED MEASURE 1948, NO. 4; TO AMEND THE WORKERS' COMPENSATION LAW; TO REMOVE THE LIMITATION ON WAGES PAID TO PERMANENTLY DISABLED CLAIMANTS UNDER THE WORKERS' COMPENSATION LAW; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND PORTIONS OF THE LAW REGARDING CERTAIN WORKERS' COMPENSATION PAYMENTS UNDER THE WORKERS' COMPENSATION LAW THAT RESULTED FROM INITIATED MEASURE 1948, NO. 4.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 11-9-501(b), concerning the limitations on wages for a disability or death under the Workers' Compensation Law, is amended to read as follows:

(b)(1) Compensation payable to an injured employee for disability, other than permanent partial disability as specified in subsection (d) of this section, and compensation payable to surviving dependents of a deceased employee, the total disability rate shall not ~~exceed sixty-six and two-thirds percent (66%) of the employee's average weekly wage with a twenty dollar (\$20.00) per week minimum,~~ be subject to the following any maximums+.



~~(1) For disability or death due to an injury occurring on and after July 1, 1987, through December 31, 1988, the maximum weekly benefits payable shall be one hundred eighty nine dollars (\$189);~~

~~(2) For disability or death due to an injury occurring on and after January 1, 1989, through December 31, 1989, the maximum weekly benefits payable shall be sixty six and two thirds percent (66%) of the state average weekly wage;~~

~~(3) For a disability or death which results from an injury occurring on and after January 1, 1990, the maximum weekly benefit payable shall be seventy percent (70%) of the state average weekly wage;~~

~~(4) For a disability or death which results from an injury occurring during a calendar year beginning on or after January 1, 1996, the maximum weekly benefit payable shall be eighty five percent (85%) of the state average weekly wage if, and only if, the Insurance Commissioner certifies to the Workers' Compensation Commission during December 1995, that the overall workers' compensation insurance rates for Arkansas have decreased by at least ten percent (10%) subsequent to July 1, 1993;~~

~~(5)(2) After January 1, 1994, the The weekly benefit rate shall be rounded to the nearest whole dollar, i.e., if the actual rate be a dollar amount plus forty-nine cents (49¢) or less, the rate for compensation purposes shall be the next lower whole dollar amount, and, if the actual rate be a dollar amount plus fifty cents (50¢) or more, then the rate for compensation purposes shall be the next higher whole dollar amount.~~