

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.  
Act 1599 of the Regular Session

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 2648

5 By: Representative E. Brown  
6  
7

## For An Act To Be Entitled

9 AN ACT TO ENSURE THE SOLVENCY OF THE DEATH AND  
10 PERMANENT TOTAL DISABILITY TRUST FUND; TO AMEND A  
11 PORTION OF THE ARKANSAS CODE WHICH RESULTED FROM  
12 INITIATED ACT 4 OF 1948; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 AN ACT TO ENSURE THE SOLVENCY OF THE  
15 DEATH AND PERMANENT TOTAL DISABILITY  
16 TRUST FUND AND TO AMEND A PORTION OF THE  
17 ARKANSAS CODE WHICH RESULTED FROM  
18 INITIATED ACT 4 OF 1948.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code § 11-9-502 is amended to read as follows:

25 11-9-502. Limitations on compensation - Exceptions.

26 (a) The benefits shall be paid for a period not to exceed four hundred  
27 fifty (450) weeks of disability, except that this limitation shall not apply  
28 in cases of permanent total disability or death.

29 (b)(1)(A) For injuries occurring on ~~and~~ or after March 1, 1981, but on  
30 or before December 31, 2007, the first seventy-five thousand dollars  
31 (\$75,000) of weekly benefits for death or permanent total disability shall be  
32 paid by the employer or its insurance carrier in the manner provided in this  
33 chapter.

34 (B) For injuries occurring on or after January 1, 2008,  
35 the employer or its insurance carrier shall pay weekly benefits for death or



1 permanent total disability not to exceed three hundred twenty-five (325)  
2 times the maximum total disability rate established for the date of the  
3 injury under this chapter.

4 (2)(A) An employee or dependent of an employee who receives a  
5 total of seventy-five thousand dollars (\$75,000) in weekly benefits for  
6 injuries sustained on or before December 31, 2007, shall be eligible to  
7 continue to draw benefits at the rates prescribed in this chapter, but all  
8 benefits in excess of seventy-five thousand dollars (\$75,000) shall be  
9 payable from the Death and Permanent Total Disability Trust Fund.

10 (B) An employee or a dependent of an employee who receives  
11 the maximum amount specified in subdivision (b)(1)(B) of this section shall  
12 be eligible to continue to draw benefits at the rates prescribed by this  
13 chapter payable from the Death and Permanent Total Disability Trust Fund.

14 (3) The trust fund shall consist of such funds as may be  
15 prescribed by law and shall be administered, invested, and disbursed by the  
16 Workers' Compensation Commission.

17 (4) Each employer or the insurance carrier of the employer in  
18 each case of death of an employee where there are no dependents shall pay  
19 into the trust fund the sum of five hundred dollars (\$500).

20  
21 APPROVED: 4/9/2007  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36