

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1612

5 By: Representative Miller
6 By: Senator J. Payton
7

For An Act To Be Entitled

9 AN ACT TO AMEND PORTIONS OF THE LAW REGARDING
10 WORKERS' COMPENSATION PAYMENTS UNDER THE WORKERS'
11 COMPENSATION LAW THAT RESULTED FROM INITIATED MEASURE
12 1948, NO. 4; TO AMEND THE WORKERS' COMPENSATION LAW;
13 TO REMOVE THE LIMITATION ON WAGES PAID TO PERMANENTLY
14 DISABLED CLAIMANTS UNDER THE WORKERS' COMPENSATION
15 LAW; AND FOR OTHER PURPOSES.
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Subtitle

18 TO AMEND PORTIONS OF THE LAW REGARDING
19 CERTAIN WORKERS' COMPENSATION PAYMENTS
20 UNDER THE WORKERS' COMPENSATION LAW THAT
21 RESULTED FROM INITIATED MEASURE 1948, NO.
22 4.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 11-9-501(b), concerning the limitations on
29 wages for a disability or death under the Workers' Compensation Law, is
30 amended to read as follows:

31 (b)(1) Compensation payable to an injured employee for disability,
32 other than permanent partial disability as specified in subsection (d) of
33 this section, and compensation payable to surviving dependents of a deceased
34 employee, the total disability rate shall not ~~exceed sixty-six and two-thirds~~
35 ~~percent (66%) of the employee's average weekly wage with a twenty dollar~~
36 ~~(\$20.00) per week minimum, be subject to the following any maximums+.~~



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

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

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

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

18 ~~(5)~~(2) After January 1, 1994, the The weekly benefit rate shall
19 be rounded to the nearest whole dollar, i.e., if the actual rate be a dollar
20 amount plus forty-nine cents (49¢) or less, the rate for compensation
21 purposes shall be the next lower whole dollar amount, and, if the actual rate
22 be a dollar amount plus fifty cents (50¢) or more, then the rate for
23 compensation purposes shall be the next higher whole dollar amount.