

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Senator Malone

# A Bill

SENATE BILL 480

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 11-9-411 (c) CONCERNING  
9 APPROVAL OF JOINT PETITIONS FOR SETTLEMENTS UNDER THE  
10 WORKERS\_ COMPENSATION LAW; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT CONCERNING APPROVAL OF JOINT  
15 PETITIONS FOR SETTLEMENTS UNDER THE  
16 WORKERS\_ COMPENSATION LAW."

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

21 SECTION 1. Arkansas Code 11-9-411 (c) is amended to read as follows:

22 "(c) Prior to any final award or approval of a joint petition where  
23 the occurrence of a compensable injury is not disputed, the claimant shall be  
24 required to furnish the respondent with releases of all subrogation claims  
25 for the benefits described in this section. In the event the claimant is  
26 unable to produce releases required by this section, then the commission  
27 shall determine the amount of such potential subrogation claims and shall  
28 direct the carrier or self-insured employer to hold in reserve only said sums  
29 for a period of five (5) years. If, after the expiration of five (5) years,  
30 no release or final court order is presented otherwise directing the payment  
31 of said sums, then the carrier or self-insured employer shall tender said  
32 sums to the Death and Permanent Total Disability Trust Fund."

34 SECTION 2. All provisions of this act of a general and permanent  
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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3       SECTION 3. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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9       SECTION 4. All laws and parts of laws in conflict with this act are  
10 hereby repealed.

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