

Fifty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1411

Introduced by

Representatives Zaiser, S. Kelsh, Solberg

Senators Krauter, Mathern, Seymour

1 A BILL for an Act to amend and reenact section 65-05-16 of the North Dakota Century Code,
2 relating to workers' compensation death benefits.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 65-05-16 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **65-05-16. Death benefits payable.**

- 7 1. The organization may pay benefits under this chapter ~~in the case of~~ if the death of
8 an employee ~~as is~~ is the direct result of an injury sustained in the course of the
9 employee's employment ~~when~~ and:
- 10 a. If there ~~has been~~ was no disability preceding death, the death occurs within
11 one year after the date of the injury;
- 12 b. If there ~~has~~ had been a disability preceding death, the death occurs within
13 one year after the ~~cessation of~~ disability ~~resulting from the injury; or ends.~~
- 14 c. If there ~~has been~~ is a disability ~~which has continued~~ that continues to the time
15 of death, regardless of when the death occurs ~~within six years after the date~~
16 ~~of injury.~~
- 17 2. The organization may not pay death benefits unless a claim is submitted within two
18 years of the death and:
- 19 a. The death is a direct result of an accepted compensable injury; or
20 b. If no claim was submitted by the deceased, the claim for death benefits is
21 submitted within two years of the injury.