

Sixtieth  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1285

Introduced by

Representatives Amerman, Solberg, Thorpe

Senators Heitkamp, Mathern

1 A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota  
2 Century Code, relating to workers' compensation benefits for surviving spouse of permanently  
3 and totally disabled injured employee; and to provide for application.

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

5 **SECTION 1.** A new section to chapter 65-05 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Death of permanently and totally disabled employee - Surviving spouse.** In the  
8 case of the death of a workforce safety and insurance claimant who is receiving permanent total  
9 disability benefits, supplementary benefits, or additional benefits payable, the claimant's  
10 surviving spouse is eligible to receive the claimant's permanent total disability benefits,  
11 supplementary benefits, and additional benefits payable in the same manner as the deceased  
12 claimant would have been entitled to receive the benefits. The eligibility of the surviving spouse  
13 to receive benefits under this section terminates upon the remarriage of the surviving spouse.

14 **SECTION 2. APPLICATION.** This Act applies to workforce safety and insurance  
15 claimants who die on or after the effective date of this Act.