

**FIRST ENGROSSMENT
with House Amendments**

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2419

Introduced by

Senator O'Connell

1 A BILL for an Act to amend and reenact subdivision b of subsection 2 of section 65-05.1-06.1 of
2 the North Dakota Century Code, relating to workers' compensation vocational rehabilitation
3 awards; and to provide for application.

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

5 **SECTION 1. AMENDMENT.** Subdivision b of subsection 2 of section 65-05.1-06.1 of
6 the North Dakota Century Code is amended and reenacted as follows:

7 b. The rehabilitation allowance must include ~~an~~, as chosen by the employee, an
8 additional ~~twenty-five~~ thirty percent of the rehabilitation allowance for
9 expenses associated with maintaining a second domicile or for travel
10 associated with attendance at a school or training institution when it is
11 necessary for the employee to ~~maintain two households, when it is necessary~~
12 ~~for the employee to maintain two households and the employee elects to~~
13 ~~commute to and from school on a daily basis rather than maintain a second~~
14 ~~household and the distance from the employee's residence to the school or~~
15 ~~training institution is at least thirty miles, or when the employee meets other~~
16 ~~criteria established by the organization by rule~~ travel at least twenty-five miles
17 [40.23 kilometers] one way. Travel must be calculated from the employee's
18 residence to the school or training institution. If it is necessary for an
19 employee to travel less than twenty-five miles one way to a school or training
20 institution, the employee may qualify for an additional rehabilitation allowance
21 as determined in accordance with the following schedule:

22 <u>Round-trip mileage</u>	<u>Percentage increase in</u>
23 <u></u>	<u>rehabilitation allowance</u>

1	<u>Under 10 miles</u>	<u>0</u>
2	<u>10 to 30 miles</u>	<u>10</u>
3	<u>31 to 50 miles</u>	<u>20</u>
4	<u>Travel must be calculated from the employee's residence to the school or</u>	
5	<u>training institution.</u>	

6 **SECTION 2. APPLICATION.** This Act applies to new retraining programs beginning
7 on or after the effective date of this Act and to existing retraining programs from the date of the
8 first new semester following the effective date of this Act.