

HOUSE BILL NO. 1140

Introduced by

Representative Keiser

Senator Klein

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 a workers' compensation inflationary adjustment for injured
3 employees with long-term temporary partial disabilities; 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 **Long-term temporary partial disability inflation adjustment.** Beginning on the first
8 day of July immediately following the fifth full year of partial disability and every year thereafter,
9 an injured employee who has received a waiver of the five-year cap on partial disability benefits
10 under section 65-05-10 is eligible for a lump sum inflation adjustment. The organization shall
11 calculate the lump sum inflation adjustment under this section on July first of each year by
12 multiplying the previous year's percent increase in the state's average weekly wage, if any, by
13 the total amount of partial disability payments paid to the injured employee in the preceding
14 twelve months, including the preceding year's inflationary adjustment award.

15 **SECTION 2. APPLICATION.** This Act applies to all workforce safety and insurance
16 claimants who are eligible for benefits on or after the effective date of this Act, regardless of the
17 date of injury.