

**HOUSE BILL NO. 1455**

Introduced by

Representatives Thorpe, Boucher, Ekstrom, Zaiser

Senator Bakke

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 an injured employee who is receiving permanent total disability benefits, or  
9 additional benefits payable, if the injured employee was permanently and totally disabled for at  
10 least ten years and was married to the surviving spouse for at least ten years, the decedent's  
11 surviving spouse is eligible to receive the decedent's permanent total disability benefits,  
12 supplementary benefits, and additional benefits payable in the same manner as the deceased  
13 spouse would have been entitled to receive the benefits. The eligibility of the surviving spouse  
14 to receive benefits under this section terminates upon the remarriage of the surviving spouse.

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