

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>rehabilitation allowance</u>

1 Under 10 miles 0

2 10 to 30 miles 10

3 31 to 50 miles 20

4 Travel must be calculated from the employee's residence to the school or
5 training institution.

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.