

CS FOR HOUSE BILL NO. 30(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/2/22

Referred: Rules

Sponsor(s): REPRESENTATIVE JOSEPHSON

A BILL**FOR AN ACT ENTITLED**

1 **"An Act relating to the payment of workers' compensation benefits in the case of**
2 **permanent partial impairment; relating to the payment of workers' compensation death**
3 **benefits; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 23.30.190(a) is amended to read:

6 (a) In case of impairment partial in character but permanent in quality, and not
7 resulting in permanent total disability, the compensation is \$273,000 [\$177,000]
8 multiplied by the employee's percentage of permanent impairment of the whole
9 person. The percentage of permanent impairment of the whole person is the
10 percentage of impairment to the particular body part, system, or function converted to
11 the percentage of impairment to the whole person as provided under (b) of this section.
12 The compensation is payable in a single lump sum, except as otherwise provided in
13 AS 23.30.041, but the compensation may not be discounted for any present value
14 considerations.

1 * **Sec. 2.** AS 23.30.215(a) is amended to read:

2 (a) If the injury causes death, the compensation is known as a death benefit
3 and is payable in the following amounts to or for the benefit of the following persons:

4 (1) reasonable and necessary funeral expenses not exceeding **\$12,000**
5 **[\$10,000]**;

6 (2) if there is a widow or widower or a child or children of the
7 deceased, the following percentages of the spendable weekly wages of the deceased:

8 (A) 80 percent for the widow or widower with no children;

9 (B) 50 percent for the widow or widower with one child and 40
10 percent for the child;

11 (C) 30 percent for the widow or widower with two or more
12 children and 70 percent divided equally among the children;

13 (D) 100 percent for an only child when there is no widow or
14 widower;

15 (E) 100 percent, divided equally, if there are two or more
16 children and no widow or widower;

17 (3) if the widow or widower remarries, the widow or widower is
18 entitled to be paid in one sum an amount equal to the compensation to which the
19 widow or widower would otherwise be entitled in the two years commencing on the
20 date of remarriage as full and final settlement of all sums due the widow or widower;

21 (4) if there is no widow or widower or child or children, then for the
22 support of father, mother, grandchildren, brothers, and sisters, if dependent **on**
23 **[UPON]** the deceased at the time of injury, 42 percent of the spendable weekly wage
24 of the deceased to such beneficiaries, share and share alike, not to exceed **\$150,000**
25 **[\$20,000]** in the aggregate;

26 (5) **\$8,000** **[\$5,000]** to a surviving widow or widower, or equally
27 divided among surviving children of the deceased if there is no widow or widower.

28 * **Sec. 3.** AS 23.30.215 is amended by adding a new subsection to read:

29 (j) A death benefit payable to a child under (a)(2)(D) or (E) of this section
30 continues until the child reaches 23 years of age, unless extended under
31 AS 23.30.395(8).

1 * **Sec. 4.** This Act takes effect January 1, 2023.