

House Bill 1409 (AS PASSED HOUSE AND SENATE)

By: Representative Werkheiser of the 157th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to
2 workers' compensation, so as to change certain provisions related to workers' compensation
3 benefits; to increase the compensation benefits for total disability and temporary partial
4 disability; to increase the total compensation payable to a surviving spouse as a sole
5 dependent at the time of death; to provide for related matters; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers'
10 compensation, is amended by revising Code Section 34-9-261, relating to compensation for
11 total disability, as follows:

12 "34-9-261.

13 While the disability to work resulting from an injury is temporarily total, the employer shall
14 pay or cause to be paid to the employee a weekly benefit equal to two-thirds of the
15 employee's average weekly wage but not more than ~~\$675.00~~ \$725.00 per week nor less
16 than \$50.00 per week, except that when the weekly wage is below \$50.00, the employer

17 shall pay a weekly benefit equal to the average weekly wage. The weekly benefit under
18 this Code section shall be payable for a maximum period of 400 weeks from the date of
19 injury; provided, however, that in the event of a catastrophic injury as defined in
20 subsection (g) of Code Section 34-9-200.1, the weekly benefit under this Code section shall
21 be paid until such time as the employee undergoes a change in condition for the better as
22 provided in paragraph (1) of subsection (a) of Code Section 34-9-104."

23 **SECTION 2.**

24 Said chapter is further amended by revising Code Section 34-9-262, relating to compensation
25 for temporary partial disability, as follows:

26 "34-9-262.

27 Except as otherwise provided in Code Section 34-9-263, where the disability to work
28 resulting from the injury is partial in character but temporary in quality, the employer shall
29 pay or cause to be paid to the employee a weekly benefit equal to two-thirds of the
30 difference between the average weekly wage before the injury and the average weekly
31 wage the employee is able to earn thereafter but not more than ~~\$450.00~~ \$483.00 per week
32 for a period not exceeding 350 weeks from the date of injury."

33 **SECTION 3.**

34 Said chapter is further amended in Code Section 34-9-265, relating to compensation for death
35 resulting from injury and other causes, penalty for death from injury proximately caused by
36 intentional act of employer, and payment of death benefits where no dependents found, by
37 revising subsection (d) as follows:

38 "(d) The total compensation payable under this Code section to a surviving spouse as a sole
39 dependent at the time of death and where there is no other dependent for one year or less
40 after the death of the employee shall in no case exceed ~~\$270,000.00~~ \$290,000.00."

41

SECTION 4.

42 All laws and parts of laws in conflict with this Act are repealed.