

Adopted	Rejected
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# COMMITTEE REPORT

<b>YES:</b>	<b>8</b>
<b>NO:</b>	<b>5</b>

**MR. SPEAKER:**

*Your Committee on Labor and Employment, to which was referred House Bill 1313, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

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3       Page 4, between lines 9 and 10, begin a new paragraph and insert:  
4       "SECTION 3. IC 22-3-3-10, AS AMENDED BY P.L.31-2000,  
5       SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6       JULY 1, 2002]: Sec. 10. (a) With respect to injuries in the following  
7       schedule occurring prior to April 1, 1951, the employee shall receive  
8       in addition to temporary total disability benefits not exceeding  
9       twenty-six (26) weeks on account of the injuries, a weekly  
10       compensation of fifty-five percent (55%) of the employee's average  
11       weekly wages. With respect to injuries in the following schedule  
12       occurring on and after April 1, 1951, and prior to July 1, 1971, the  
13       employee shall receive in addition to temporary total disability benefits  
14       not exceeding twenty-six (26) weeks on account of the injuries, a

1 weekly compensation of sixty percent (60%) of the employee's average  
2 weekly wages. With respect to injuries in the following schedule  
3 occurring on and after July 1, 1971, and before July 1, 1977, the  
4 employee shall receive in addition to temporary total disability benefits  
5 not exceeding twenty-six (26) weeks on account of the injuries, a  
6 weekly compensation of sixty percent (60%) of the employee's average  
7 weekly wages not to exceed one hundred dollars (\$100) average weekly  
8 wages, for the periods stated for the injuries. With respect to injuries  
9 in the following schedule occurring on and after July 1, 1977, and  
10 before July 1, 1979, the employee shall receive, in addition to  
11 temporary total disability benefits not exceeding twenty-six (26) weeks  
12 on account of the injury, a weekly compensation of sixty percent (60%)  
13 of his average weekly wages, not to exceed one hundred twenty-five  
14 dollars (\$125) average weekly wages, for the period stated for the  
15 injury. With respect to injuries in the following schedule occurring on  
16 and after July 1, 1979, and before July 1, 1988, the employee shall  
17 receive, in addition to temporary total disability benefits not to exceed  
18 fifty-two (52) weeks on account of the injury, a weekly compensation  
19 of sixty percent (60%) of the employee's average weekly wages, not to  
20 exceed one hundred twenty-five dollars (\$125) average weekly wages,  
21 for the period stated for the injury. With respect to injuries in the  
22 following schedule occurring on and after July 1, 1988, and before July  
23 1, 1989, the employee shall receive, in addition to temporary total  
24 disability benefits not exceeding seventy-eight (78) weeks on account  
25 of the injury, a weekly compensation of sixty percent (60%) of the  
26 employee's average weekly wages, not to exceed one hundred sixty-six  
27 dollars (\$166) average weekly wages, for the period stated for the  
28 injury.

29 With respect to injuries in the following schedule occurring on and  
30 after July 1, 1989, and before July 1, 1990, the employee shall receive,  
31 in addition to temporary total disability benefits not exceeding  
32 seventy-eight (78) weeks on account of the injury, a weekly  
33 compensation of sixty percent (60%) of the employee's average weekly  
34 wages, not to exceed one hundred eighty-three dollars (\$183) average  
35 weekly wages, for the period stated for the injury.

36 With respect to injuries in the following schedule occurring on and  
37 after July 1, 1990, and before July 1, 1991, the employee shall receive,  
38 in addition to temporary total disability benefits not exceeding

1 seventy-eight (78) weeks on account of the injury, a weekly  
2 compensation of sixty percent (60%) of the employee's average weekly  
3 wages, not to exceed two hundred dollars (\$200) average weekly  
4 wages, for the period stated for the injury.

5 (1) Amputation: For the loss by separation of the thumb, sixty  
6 (60) weeks, of the index finger forty (40) weeks, of the second  
7 finger thirty-five (35) weeks, of the third or ring finger thirty (30)  
8 weeks, of the fourth or little finger twenty (20) weeks, of the hand  
9 by separation below the elbow joint two hundred (200) weeks, or  
10 the arm above the elbow two hundred fifty (250) weeks, of the big  
11 toe sixty (60) weeks, of the second toe thirty (30) weeks, of the  
12 third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks,  
13 of the fifth or little toe ten (10) weeks, and for loss occurring  
14 before April 1, 1959, by separation of the foot below the knee  
15 joint one hundred fifty (150) weeks and of the leg above the knee  
16 joint two hundred (200) weeks; for loss occurring on and after  
17 April 1, 1959, by separation of the foot below the knee joint, one  
18 hundred seventy-five (175) weeks and of the leg above the knee  
19 joint two hundred twenty-five (225) weeks. The loss of more than  
20 one (1) phalange of a thumb or toes shall be considered as the loss  
21 of the entire thumb or toe. The loss of more than two (2)  
22 phalanges of a finger shall be considered as the loss of the entire  
23 finger. The loss of not more than one (1) phalange of a thumb or  
24 toe shall be considered as the loss of one-half (1/2) of the thumb  
25 or toe and compensation shall be paid for one-half (1/2) of the  
26 period for the loss of the entire thumb or toe. The loss of not more  
27 than one (1) phalange of a finger shall be considered as the loss  
28 of one-third (1/3) of the finger and compensation shall be paid for  
29 one-third (1/3) the period for the loss of the entire finger. The loss  
30 of more than one (1) phalange of the finger but not more than two  
31 (2) phalanges of the finger, shall be considered as the loss of  
32 one-half (1/2) of the finger and compensation shall be paid for  
33 one-half (1/2) of the period for the loss of the entire finger.

34 (2) For the loss by separation of both hands or both feet or the  
35 total sight of both eyes, or any two (2) such losses in the same  
36 accident, five hundred (500) weeks.

37 (3) For the permanent and complete loss of vision by enucleation  
38 or its reduction to one-tenth (1/10) of normal vision with glasses,

1           one hundred seventy-five (175) weeks.

2           (4) For the permanent and complete loss of hearing in one (1) ear,  
3           seventy-five (75) weeks, and in both ears, two hundred (200)  
4           weeks.

5           (5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of  
6           both testicles, one hundred fifty (150) weeks.

7           (b) With respect to injuries in the following schedule occurring prior  
8           to April 1, 1951, the employee shall receive in lieu of all other  
9           compensation on account of the injuries, a weekly compensation of  
10          fifty-five percent (55%) of the employee's average weekly wages. With  
11          respect to injuries in the following schedule occurring on and after  
12          April 1, 1951, and prior to April 1, 1955, the employee shall receive in  
13          lieu of all other compensation on account of the injuries a weekly  
14          compensation of sixty percent (60%) of the employee's average weekly  
15          wages. With respect to injuries in the following schedule occurring on  
16          and after April 1, 1955, and prior to July 1, 1971, the employee shall  
17          receive in addition to temporary total disability benefits not exceeding  
18          twenty-six (26) weeks on account of the injuries, a weekly  
19          compensation of sixty percent (60%) of the employee's average weekly  
20          wages. With respect to injuries in the following schedule occurring on  
21          and after July 1, 1971, and before July 1, 1977, the employee shall  
22          receive in addition to temporary total disability benefits not exceeding  
23          twenty-six (26) weeks on account of the injuries, a weekly  
24          compensation of sixty percent (60%) of the employee's average weekly  
25          wages, not to exceed one hundred dollars (\$100) average weekly  
26          wages, for the period stated for such injuries respectively. With respect  
27          to injuries in the following schedule occurring on and after July 1,  
28          1977, and before July 1, 1979, the employee shall receive, in addition  
29          to temporary total disability benefits not exceeding twenty-six (26)  
30          weeks on account of the injury, a weekly compensation of sixty percent  
31          (60%) of the employee's average weekly wages not to exceed one  
32          hundred twenty-five dollars (\$125) average weekly wages, for the  
33          period stated for the injury. With respect to injuries in the following  
34          schedule occurring on and after July 1, 1979, and before July 1, 1988,  
35          the employee shall receive, in addition to temporary total disability  
36          benefits not exceeding fifty-two (52) weeks on account of the injury, a  
37          weekly compensation of sixty percent (60%) of the employee's average  
38          weekly wages not to exceed one hundred twenty-five dollars (\$125)

1 average weekly wages for the period stated for the injury. With respect  
2 to injuries in the following schedule occurring on and after July 1,  
3 1988, and before July 1, 1989, the employee shall receive, in addition  
4 to temporary total disability benefits not exceeding seventy-eight (78)  
5 weeks on account of the injury, a weekly compensation of sixty percent  
6 (60%) of the employee's average weekly wages, not to exceed one  
7 hundred sixty-six dollars (\$166) average weekly wages, for the period  
8 stated for the injury.

9 With respect to injuries in the following schedule occurring on and  
10 after July 1, 1989, and before July 1, 1990, the employee shall receive,  
11 in addition to temporary total disability benefits not exceeding  
12 seventy-eight (78) weeks on account of the injury, a weekly  
13 compensation of sixty percent (60%) of the employee's average weekly  
14 wages, not to exceed one hundred eighty-three dollars (\$183) average  
15 weekly wages, for the period stated for the injury.

16 With respect to injuries in the following schedule occurring on and  
17 after July 1, 1990, and before July 1, 1991, the employee shall receive,  
18 in addition to temporary total disability benefits not exceeding  
19 seventy-eight (78) weeks on account of the injury, a weekly  
20 compensation of sixty percent (60%) of the employee's average weekly  
21 wages, not to exceed two hundred dollars (\$200) average weekly  
22 wages, for the period stated for the injury.

23 (1) Loss of use: The total permanent loss of the use of an arm,  
24 hand, thumb, finger, leg, foot, toe, or phalange shall be considered  
25 as the equivalent of the loss by separation of the arm, hand,  
26 thumb, finger, leg, foot, toe, or phalange, and compensation shall  
27 be paid for the same period as for the loss thereof by separation.

28 (2) Partial loss of use: For the permanent partial loss of the use of  
29 an arm, hand, thumb, finger, leg, foot, toe, or phalange,  
30 compensation shall be paid for the proportionate loss of the use of  
31 such arm, hand, thumb, finger, leg, foot, toe, or phalange.

32 (3) For injuries resulting in total permanent disability, five  
33 hundred (500) weeks.

34 (4) For any permanent reduction of the sight of an eye less than a  
35 total loss as specified in subsection (a)(3), compensation shall be  
36 paid for a period proportionate to the degree of such permanent  
37 reduction without correction or glasses. However, when such  
38 permanent reduction without correction or glasses would result in

1           one hundred percent (100%) loss of vision, but correction or  
2           glasses would result in restoration of vision, then in such event  
3           compensation shall be paid for fifty percent (50%) of such total  
4           loss of vision without glasses, plus an additional amount equal to  
5           the proportionate amount of such reduction with glasses, not to  
6           exceed an additional fifty percent (50%).

7           (5) For any permanent reduction of the hearing of one (1) or both  
8           ears, less than the total loss as specified in subsection (a)(4),  
9           compensation shall be paid for a period proportional to the degree  
10          of such permanent reduction.

11          (6) In all other cases of permanent partial impairment,  
12          compensation proportionate to the degree of such permanent  
13          partial impairment, in the discretion of the worker's compensation  
14          board, not exceeding five hundred (500) weeks.

15          (7) In all cases of permanent disfigurement which may impair the  
16          future usefulness or opportunities of the employee, compensation,  
17          in the discretion of the worker's compensation board, not  
18          exceeding two hundred (200) weeks, except that no compensation  
19          shall be payable under this subdivision where compensation is  
20          payable elsewhere in this section.

21          (c) With respect to injuries in the following schedule occurring on  
22          and after July 1, 1991, the employee shall receive in addition to  
23          temporary total disability benefits, not exceeding one hundred  
24          twenty-five (125) weeks on account of the injury, compensation in an  
25          amount determined under the following schedule to be paid weekly at  
26          a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's  
27          average weekly wages during the fifty-two (52) weeks immediately  
28          preceding the week in which the injury occurred.

29                 (1) Amputation: For the loss by separation of the thumb, twelve  
30                 (12) degrees of permanent impairment; of the index finger, eight  
31                 (8) degrees of permanent impairment; of the second finger, seven  
32                 (7) degrees of permanent impairment; of the third or ring finger,  
33                 six (6) degrees of permanent impairment; of the fourth or little  
34                 finger, four (4) degrees of permanent impairment; of the hand by  
35                 separation below the elbow joint, forty (40) degrees of permanent  
36                 impairment; of the arm above the elbow, fifty (50) degrees of  
37                 permanent impairment; of the big toe, twelve (12) degrees of  
38                 permanent impairment; of the second toe, six (6) degrees of

- 1 permanent impairment; of the third toe, four (4) degrees of  
2 permanent impairment; of the fourth toe, three (3) degrees of  
3 permanent impairment; of the fifth or little toe, two (2) degrees of  
4 permanent impairment; by separation of the foot below the knee  
5 joint, thirty-five (35) degrees of permanent impairment; and of the  
6 leg above the knee joint, forty-five (45) degrees of permanent  
7 impairment.
- 8 (2) Amputations: For the loss by separation of any of the body  
9 parts described in subdivision (1) on or after July 1, 1997, and for  
10 the loss by separation of any of the body parts described in  
11 subdivision (3), (5), or (8), on or after July 1, 1999, the dollar  
12 values per degree applying on the date of the injury as described  
13 in subsection (d) shall be multiplied by two (2). However, the  
14 doubling provision of this subdivision does not apply to a loss of  
15 use that is not a loss by separation.
- 16 (3) The loss of more than one (1) phalange of a thumb or toe shall  
17 be considered as the loss of the entire thumb or toe. The loss of  
18 more than two (2) phalanges of a finger shall be considered as the  
19 loss of the entire finger. The loss of not more than one (1)  
20 phalange of a thumb or toe shall be considered as the loss of  
21 one-half (1/2) of the degrees of permanent impairment for the loss  
22 of the entire thumb or toe. The loss of not more than one (1)  
23 phalange of a finger shall be considered as the loss of one-third  
24 (1/3) of the finger and compensation shall be paid for one-third  
25 (1/3) of the degrees payable for the loss of the entire finger. The  
26 loss of more than one (1) phalange of the finger but not more than  
27 two (2) phalanges of the finger shall be considered as the loss of  
28 one-half (1/2) of the finger and compensation shall be paid for  
29 one-half (1/2) of the degrees payable for the loss of the entire  
30 finger.
- 31 (4) For the loss by separation of both hands or both feet or the  
32 total sight of both eyes or any two (2) such losses in the same  
33 accident, one hundred (100) degrees of permanent impairment.
- 34 (5) For the permanent and complete loss of vision by enucleation,  
35 thirty-five (35) degrees of permanent impairment.
- 36 (6) For the reduction of vision to one-tenth (1/10) of normal  
37 vision with glasses, thirty-five (35) degrees of permanent  
38 impairment.

- 1 (7) For the permanent and complete loss of hearing in one (1) ear,  
2 fifteen (15) degrees of permanent impairment, and in both ears,  
3 forty (40) degrees of permanent impairment.
- 4 (8) For the loss of one (1) testicle, ten (10) degrees of permanent  
5 impairment; for the loss of both testicles, thirty (30) degrees of  
6 permanent impairment.
- 7 (9) Loss of use: The total permanent loss of the use of an arm, a  
8 hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be  
9 considered as the equivalent of the loss by separation of the arm,  
10 hand, thumb, finger, leg, foot, toe, or phalange, and compensation  
11 shall be paid in the same amount as for the loss by separation.  
12 However, the doubling provision of subdivision (2) does not  
13 apply to a loss of use that is not a loss by separation.
- 14 (10) Partial loss of use: For the permanent partial loss of the use  
15 of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a  
16 phalange, compensation shall be paid for the proportionate loss of  
17 the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.
- 18 (11) For injuries resulting in total permanent disability, the  
19 amount payable for impairment or five hundred (500) weeks of  
20 compensation, whichever is greater.
- 21 (12) For any permanent reduction of the sight of an eye less than  
22 a total loss as specified in subsection (a)(3), the compensation  
23 shall be paid in an amount proportionate to the degree of a  
24 permanent reduction without correction or glasses. However,  
25 when a permanent reduction without correction or glasses would  
26 result in one hundred percent (100%) loss of vision, then  
27 compensation shall be paid for fifty percent (50%) of the total loss  
28 of vision without glasses, plus an additional amount equal to the  
29 proportionate amount of the reduction with glasses, not to exceed  
30 an additional fifty percent (50%).
- 31 (13) For any permanent reduction of the hearing of one (1) or both  
32 ears, less than the total loss as specified in subsection (a)(4),  
33 compensation shall be paid in an amount proportionate to the  
34 degree of a permanent reduction.
- 35 (14) In all other cases of permanent partial impairment,  
36 compensation proportionate to the degree of a permanent partial  
37 impairment, in the discretion of the worker's compensation board,  
38 not exceeding one hundred (100) degrees of permanent



1           impairment.

2           (15) In all cases of permanent disfigurement which may impair  
3           the future usefulness or opportunities of the employee,  
4           compensation, in the discretion of the worker's compensation  
5           board, not exceeding forty (40) degrees of permanent impairment  
6           except that no compensation shall be payable under this  
7           subdivision where compensation is payable elsewhere in this  
8           section.

9           (d) Compensation for permanent partial impairment shall be paid  
10          according to the degree of permanent impairment for the injury  
11          determined under subsection (c) and the following:

12           (1) With respect to injuries occurring on and after July 1, 1991,  
13           and before July 1, 1992, for each degree of permanent impairment  
14           from one (1) to thirty-five (35), five hundred dollars (\$500) per  
15           degree; for each degree of permanent impairment from thirty-six  
16           (36) to fifty (50), nine hundred dollars (\$900) per degree; for each  
17           degree of permanent impairment above fifty (50), one thousand  
18           five hundred dollars (\$1,500) per degree.

19           (2) With respect to injuries occurring on and after July 1, 1992,  
20           and before July 1, 1993, for each degree of permanent impairment  
21           from one (1) to twenty (20), five hundred dollars (\$500) per  
22           degree; for each degree of permanent impairment from  
23           twenty-one (21) to thirty-five (35), eight hundred dollars (\$800)  
24           per degree; for each degree of permanent impairment from  
25           thirty-six (36) to fifty (50), one thousand three hundred dollars  
26           (\$1,300) per degree; for each degree of permanent impairment  
27           above fifty (50), one thousand seven hundred dollars (\$1,700) per  
28           degree.

29           (3) With respect to injuries occurring on and after July 1, 1993,  
30           and before July 1, 1997, for each degree of permanent impairment  
31           from one (1) to ten (10), five hundred dollars (\$500) per degree;  
32           for each degree of permanent impairment from eleven (11) to  
33           twenty (20), seven hundred dollars (\$700) per degree; for each  
34           degree of permanent impairment from twenty-one (21) to  
35           thirty-five (35), one thousand dollars (\$1,000) per degree; for  
36           each degree of permanent impairment from thirty-six (36) to fifty  
37           (50), one thousand four hundred dollars (\$1,400) per degree; for  
38           each degree of permanent impairment above fifty (50), one

1 thousand seven hundred dollars (\$1,700) per degree.  
2 (4) With respect to injuries occurring on and after July 1, 1997,  
3 and before July 1, 1998, for each degree of permanent impairment  
4 from one (1) to ten (10), seven hundred fifty dollars (\$750) per  
5 degree; for each degree of permanent impairment from eleven  
6 (11) to thirty-five (35), one thousand dollars (\$1,000) per degree;  
7 for each degree of permanent impairment from thirty-six (36) to  
8 fifty (50), one thousand four hundred dollars (\$1,400) per degree;  
9 for each degree of permanent impairment above fifty (50), one  
10 thousand seven hundred dollars (\$1,700) per degree.  
11 (5) With respect to injuries occurring on and after July 1, 1998,  
12 and before July 1, 1999, for each degree of permanent impairment  
13 from one (1) to ten (10), seven hundred fifty dollars (\$750) per  
14 degree; for each degree of permanent impairment from eleven  
15 (11) to thirty-five (35), one thousand dollars (\$1,000) per degree;  
16 for each degree of permanent impairment from thirty-six (36) to  
17 fifty (50), one thousand four hundred dollars (\$1,400) per degree;  
18 for each degree of permanent impairment above fifty (50), one  
19 thousand seven hundred dollars (\$1,700) per degree.  
20 (6) With respect to injuries occurring on and after July 1, 1999,  
21 and before July 1, 2000, for each degree of permanent impairment  
22 from one (1) to ten (10), nine hundred dollars (\$900) per degree;  
23 for each degree of permanent impairment from eleven (11) to  
24 thirty-five (35), one thousand one hundred dollars (\$1,100) per  
25 degree; for each degree of permanent impairment from thirty-six  
26 (36) to fifty (50), one thousand six hundred dollars (\$1,600) per  
27 degree; for each degree of permanent impairment above fifty (50),  
28 two thousand dollars (\$2,000) per degree.  
29 (7) With respect to injuries occurring on and after July 1, 2000,  
30 and before July 1, 2001, for each degree of permanent impairment  
31 from one (1) to ten (10), one thousand one hundred dollars  
32 (\$1,100) per degree; for each degree of permanent impairment  
33 from eleven (11) to thirty-five (35), one thousand three hundred  
34 dollars (\$1,300) per degree; for each degree of permanent  
35 impairment from thirty-six (36) to fifty (50), two thousand dollars  
36 (\$2,000) per degree; for each degree of permanent impairment  
37 above fifty (50), two thousand five hundred fifty dollars (\$2,500)  
38 per degree.

1 (8) With respect to injuries occurring on and after July 1, 2001,  
 2 **and before July 1, 2002**, for each degree of permanent  
 3 impairment from one (1) to ten (10), one thousand three hundred  
 4 dollars (\$1,300) per degree; for each degree of permanent  
 5 impairment from eleven (11) to thirty-five (35), one thousand five  
 6 hundred dollars (\$1,500) per degree; for each degree of  
 7 permanent impairment from thirty-six (36) to fifty (50), two  
 8 thousand four hundred dollars (\$2,400) per degree; for each  
 9 degree of permanent impairment above fifty (50), three thousand  
 10 dollars (\$3,000) per degree.

11 (9) With respect to injuries occurring on and after July 1,  
 12 **2002, and before July 1, 2003**, for each degree of permanent  
 13 **impairment from one (1) to ten (10), two thousand fifty**  
 14 **dollars (\$2,050) per degree; for each degree of permanent**  
 15 **impairment from eleven (11) to thirty-five (35), two thousand**  
 16 **seven hundred dollars (\$2,700) per degree; for each degree of**  
 17 **permanent impairment from thirty-six (36) to fifty (50), three**  
 18 **thousand three hundred dollars (\$3,300) per degree; for each**  
 19 **degree of permanent impairment above fifty (50), three**  
 20 **thousand nine hundred dollars (\$3,900) per degree.**

21 (10) With respect to injuries occurring on and after July 1,  
 22 **2003**, for each degree of permanent impairment from one (1)  
 23 **to ten (10), two thousand four hundred dollars (\$2,400) per**  
 24 **degree; for each degree of permanent impairment from eleven**  
 25 **(11) to thirty-five (35), three thousand seventy-five dollars**  
 26 **(\$3,075) per degree; for each degree of permanent**  
 27 **impairment from thirty-six (36) to fifty (50), three thousand**  
 28 **seven hundred seventy-five dollars (\$3,775) per degree; for**  
 29 **each degree of permanent impairment above fifty (50), four**  
 30 **thousand five hundred twenty-five dollars (\$4,525) per degree.**

31 (e) The average weekly wages used in the determination of  
 32 compensation for permanent partial impairment under subsections (c)  
 33 and (d) shall not exceed the following:

34 (1) With respect to injuries occurring on or after July 1, 1991, and  
 35 before July 1, 1992, four hundred ninety-two dollars (\$492).

36 (2) With respect to injuries occurring on or after July 1, 1992, and  
 37 before July 1, 1993, five hundred forty dollars (\$540).

38 (3) With respect to injuries occurring on or after July 1, 1993, and

- 1 before July 1, 1994, five hundred ninety-one dollars (\$591).
- 2 (4) With respect to injuries occurring on or after July 1, 1994, and
- 3 before July 1, 1997, six hundred forty-two dollars (\$642).
- 4 (5) With respect to injuries occurring on or after July 1, 1997, and
- 5 before July 1, 1998, six hundred seventy-two dollars (\$672).
- 6 (6) With respect to injuries occurring on or after July 1, 1998, and
- 7 before July 1, 1999, seven hundred two dollars (\$702).
- 8 (7) With respect to injuries occurring on or after July 1, 1999, and
- 9 before July 1, 2000, seven hundred thirty-two dollars (\$732).
- 10 (8) With respect to injuries occurring on or after July 1, 2000, and
- 11 before July 1, 2001, seven hundred sixty-two dollars (\$762).
- 12 (9) With respect to injuries occurring on or after July 1, 2001, and
- 13 before July 1, 2002, eight hundred twenty-two dollars (\$822).
- 14 (10) With respect to injuries occurring on or after July 1, 2002,
- 15 **and before July 1, 2003, eight hundred eighty-two dollars**
- 16 **(\$882).**
- 17 **(11) With respect to injuries occurring on or after July 1,**
- 18 **2003, nine hundred forty-two dollars (\$942).**

19 SECTION 4. IC 22-3-3-22, AS AMENDED BY P.L.31-2000,  
 20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2002]: Sec. 22. (a) In computing the compensation under this  
 22 law with respect to injuries occurring on and after April 1, 1963, and  
 23 prior to April 1, 1965, the average weekly wages shall be considered  
 24 to be not more than seventy dollars (\$70) nor less than thirty dollars  
 25 (\$30). In computing the compensation under this law with respect to  
 26 injuries occurring on and after April 1, 1965, and prior to April 1,  
 27 1967, the average weekly wages shall be considered to be not more  
 28 than seventy-five dollars (\$75) and not less than thirty dollars (\$30). In  
 29 computing the compensation under this law with respect to injuries  
 30 occurring on and after April 1, 1967, and prior to April 1, 1969, the  
 31 average weekly wages shall be considered to be not more than  
 32 eighty-five dollars (\$85) and not less than thirty-five dollars (\$35). In  
 33 computing the compensation under this law with respect to injuries  
 34 occurring on and after April 1, 1969, and prior to July 1, 1971, the  
 35 average weekly wages shall be considered to be not more than  
 36 ninety-five dollars (\$95) and not less than thirty-five dollars (\$35). In  
 37 computing the compensation under this law with respect to injuries  
 38 occurring on and after July 1, 1971, and prior to July 1, 1974, the

1 average weekly wages shall be considered to be: (A) Not more than: (1)  
2 one hundred dollars (\$100) if no dependents; (2) one hundred five  
3 dollars (\$105) if one (1) dependent; (3) one hundred ten dollars (\$110)  
4 if two (2) dependents; (4) one hundred fifteen dollars (\$115) if three  
5 (3) dependents; (5) one hundred twenty dollars (\$120) if four (4)  
6 dependents; and (6) one hundred twenty-five dollars (\$125) if five (5)  
7 or more dependents; and (B) Not less than thirty-five dollars (\$35). In  
8 computing compensation for temporary total disability, temporary  
9 partial disability, and total permanent disability under this law with  
10 respect to injuries occurring on and after July 1, 1974, and before July  
11 1, 1976, the average weekly wages shall be considered to be (A) not  
12 more than one hundred thirty-five dollars (\$135), and (B) not less than  
13 seventy-five dollars (\$75). However, the weekly compensation payable  
14 shall in no case exceed the average weekly wages of the employee at  
15 the time of the injury. In computing compensation for temporary total  
16 disability, temporary partial disability and total permanent disability  
17 under this law with respect to injuries occurring on and after July 1,  
18 1976, and before July 1, 1977, the average weekly wages shall be  
19 considered to be (1) not more than one hundred fifty-six dollars (\$156)  
20 and (2) not less than seventy-five dollars (\$75). However, the weekly  
21 compensation payable shall not exceed the average weekly wages of  
22 the employee at the time of the injury. In computing compensation for  
23 temporary total disability, temporary partial disability, and total  
24 permanent disability, with respect to injuries occurring on and after  
25 July 1, 1977, and before July 1, 1979, the average weekly wages are  
26 considered to be (1) not more than one hundred eighty dollars (\$180);  
27 and (2) not less than seventy-five dollars (\$75). However, the weekly  
28 compensation payable may not exceed the average weekly wages of the  
29 employee at the time of the injury. In computing compensation for  
30 temporary total disability, temporary partial disability, and total  
31 permanent disability, with respect to injuries occurring on and after  
32 July 1, 1979, and before July 1, 1980, the average weekly wages are  
33 considered to be (1) not more than one hundred ninety-five dollars  
34 (\$195), and (2) not less than seventy-five dollars (\$75). However, the  
35 weekly compensation payable shall not exceed the average weekly  
36 wages of the employee at the time of the injury. In computing  
37 compensation for temporary total disability, temporary partial  
38 disability, and total permanent disability, with respect to injuries

1 occurring on and after July 1, 1980, and before July 1, 1983, the  
2 average weekly wages are considered to be (1) not more than two  
3 hundred ten dollars (\$210), and (2) not less than seventy-five dollars  
4 (\$75). However, the weekly compensation payable shall not exceed the  
5 average weekly wages of the employee at the time of the injury. In  
6 computing compensation for temporary total disability, temporary  
7 partial disability, and total permanent disability, with respect to injuries  
8 occurring on and after July 1, 1983, and before July 1, 1984, the  
9 average weekly wages are considered to be (1) not more than two  
10 hundred thirty-four dollars (\$234) and (2) not less than seventy-five  
11 dollars (\$75). However, the weekly compensation payable shall not  
12 exceed the average weekly wages of the employee at the time of the  
13 injury. In computing compensation for temporary total disability,  
14 temporary partial disability, and total permanent disability, with respect  
15 to injuries occurring on and after July 1, 1984, and before July 1, 1985,  
16 the average weekly wages are considered to be (1) not more than two  
17 hundred forty-nine dollars (\$249) and (2) not less than seventy-five  
18 dollars (\$75). However, the weekly compensation payable shall not  
19 exceed the average weekly wages of the employee at the time of the  
20 injury. In computing compensation for temporary total disability,  
21 temporary partial disability, and total permanent disability, with respect  
22 to injuries occurring on and after July 1, 1985, and before July 1, 1986,  
23 the average weekly wages are considered to be (1) not more than two  
24 hundred sixty-seven dollars (\$267) and (2) not less than seventy-five  
25 dollars (\$75). However, the weekly compensation payable shall not  
26 exceed the average weekly wages of the employee at the time of the  
27 injury. In computing compensation for temporary total disability,  
28 temporary partial disability, and total permanent disability, with respect  
29 to injuries occurring on and after July 1, 1986, and before July 1, 1988,  
30 the average weekly wages are considered to be (1) not more than two  
31 hundred eighty-five dollars (\$285) and (2) not less than seventy-five  
32 dollars (\$75). However, the weekly compensation payable shall not  
33 exceed the average weekly wages of the employee at the time of the  
34 injury. In computing compensation for temporary total disability,  
35 temporary partial disability, and total permanent disability, with respect  
36 to injuries occurring on and after July 1, 1988, and before July 1, 1989,  
37 the average weekly wages are considered to be (1) not more than three  
38 hundred eighty-four dollars (\$384) and (2) not less than seventy-five

1 dollars (\$75). However, the weekly compensation payable shall not  
2 exceed the average weekly wages of the employee at the time of the  
3 injury.

4 In computing compensation for temporary total disability, temporary  
5 partial disability, and total permanent disability, with respect to injuries  
6 occurring on and after July 1, 1989, and before July 1, 1990, the  
7 average weekly wages are considered to be (1) not more than four  
8 hundred eleven dollars (\$411) and (2) not less than seventy-five dollars  
9 (\$75). However, the weekly compensation payable shall not exceed the  
10 average weekly wages of the employee at the time of the injury.

11 In computing compensation for temporary total disability, temporary  
12 partial disability, and total permanent disability, with respect to injuries  
13 occurring on and after July 1, 1990, and before July 1, 1991, the  
14 average weekly wages are considered to be (1) not more than four  
15 hundred forty-one dollars (\$441) and (2) not less than seventy-five  
16 dollars (\$75). However, the weekly compensation payable shall not  
17 exceed the average weekly wages of the employee at the time of the  
18 injury.

19 In computing compensation for temporary total disability, temporary  
20 partial disability, and total permanent disability, with respect to injuries  
21 occurring on and after July 1, 1991, and before July 1, 1992, the  
22 average weekly wages are considered to be (1) not more than four  
23 hundred ninety-two dollars (\$492) and (2) not less than seventy-five  
24 dollars (\$75). However, the weekly compensation payable shall not  
25 exceed the average weekly wages of the employee at the time of the  
26 injury.

27 In computing compensation for temporary total disability, temporary  
28 partial disability, and total permanent disability, with respect to injuries  
29 occurring on and after July 1, 1992, and before July 1, 1993, the  
30 average weekly wages are considered to be (1) not more than five  
31 hundred forty dollars (\$540) and (2) not less than seventy-five dollars  
32 (\$75). However, the weekly compensation payable shall not exceed the  
33 average weekly wages of the employee at the time of the injury.

34 In computing compensation for temporary total disability, temporary  
35 partial disability, and total permanent disability, with respect to injuries  
36 occurring on and after July 1, 1993, and before July 1, 1994, the  
37 average weekly wages are considered to be (1) not more than five  
38 hundred ninety-one dollars (\$591) and (2) not less than seventy-five

1 dollars (\$75). However, the weekly compensation payable shall not  
 2 exceed the average weekly wages of the employee at the time of the  
 3 injury.

4 In computing compensation for temporary total disability, temporary  
 5 partial disability, and total permanent disability, with respect to injuries  
 6 occurring on and after July 1, 1994, and before July 1, 1997, the  
 7 average weekly wages are considered to be (1) not more than six  
 8 hundred forty-two dollars (\$642) and (2) not less than seventy-five  
 9 dollars (\$75). However, the weekly compensation payable shall not  
 10 exceed the average weekly wages of the employee at the time of the  
 11 injury.

12 (b) In computing compensation for temporary total disability,  
 13 temporary partial disability, and total permanent disability, the average  
 14 weekly wages are considered to be:

15 (1) with respect to injuries occurring on and after July 1, 1997,  
 16 and before July 1, 1998:

17 (A) not more than six hundred seventy-two dollars (\$672); and

18 (B) not less than seventy-five dollars (\$75);

19 (2) with respect to injuries occurring on and after July 1, 1998,  
 20 and before July 1, 1999:

21 (A) not more than seven hundred two dollars (\$702); and

22 (B) not less than seventy-five dollars (\$75);

23 (3) with respect to injuries occurring on and after July 1, 1999,  
 24 and before July 1, 2000:

25 (A) not more than seven hundred thirty-two dollars (\$732);  
 26 and

27 (B) not less than seventy-five dollars (\$75);

28 (4) with respect to injuries occurring on and after July 1, 2000,  
 29 and before July 1, 2001:

30 (A) not more than seven hundred sixty-two dollars (\$762); and

31 (B) not less than seventy-five dollars (\$75);

32 (5) with respect to injuries occurring on and after July 1, 2001,  
 33 and before July 1, 2002:

34 (A) not more than eight hundred twenty-two dollars (\$822);  
 35 and

36 (B) not less than seventy-five dollars (\$75); ~~and~~

37 (6) with respect to injuries occurring on and after July 1, 2002,  
 38 **and before July 1, 2003:**



- 1 (A) not more than eight hundred eighty-two dollars (\$882);
- 2 and
- 3 (B) not less than seventy-five dollars (\$75); **and**
- 4 **(7) with respect to injuries occurring on and after July 1,**
- 5 **2003:**
- 6 (A) **not more than nine hundred forty-two dollars (\$942);**
- 7 **and**
- 8 (B) **not less than seventy-five dollars (\$75).**

9 However, the weekly compensation payable shall not exceed the  
 10 average weekly wages of the employee at the time of the injury.

11 (c) For the purpose of this section only and with respect to injuries  
 12 occurring on and after July 1, 1971, and prior to July 1, 1974, only, the  
 13 term "dependent" as used in this section shall mean persons defined as  
 14 presumptive dependents under section 19 of this chapter, except that  
 15 such dependency shall be determined as of the date of the injury to the  
 16 employee.

17 (d) With respect to any injury occurring on and after April 1, 1955,  
 18 and prior to April 1, 1957, the maximum compensation exclusive of  
 19 medical benefits, which shall be paid for an injury under any provisions  
 20 of this law or under any combination of its provisions shall not exceed  
 21 twelve thousand five hundred dollars (\$12,500) in any case. With  
 22 respect to any injury occurring on and after April 1, 1957 and prior to  
 23 April 1, 1963, the maximum compensation exclusive of medical  
 24 benefits, which shall be paid for an injury under any provision of this  
 25 law or under any combination of its provisions shall not exceed fifteen  
 26 thousand dollars (\$15,000) in any case. With respect to any injury  
 27 occurring on and after April 1, 1963, and prior to April 1, 1965, the  
 28 maximum compensation exclusive of medical benefits, which shall be  
 29 paid for an injury under any provision of this law or under any  
 30 combination of its provisions shall not exceed sixteen thousand five  
 31 hundred dollars (\$16,500) in any case. With respect to any injury  
 32 occurring on and after April 1, 1965, and prior to April 1, 1967, the  
 33 maximum compensation exclusive of medical benefits which shall be  
 34 paid for any injury under any provision of this law or any combination  
 35 of provisions shall not exceed twenty thousand dollars (\$20,000) in any  
 36 case. With respect to any injury occurring on and after April 1, 1967,  
 37 and prior to July 1, 1971, the maximum compensation exclusive of  
 38 medical benefits which shall be paid for an injury under any provision

1 of this law or any combination of provisions shall not exceed  
2 twenty-five thousand dollars (\$25,000) in any case. With respect to any  
3 injury occurring on and after July 1, 1971, and prior to July 1, 1974, the  
4 maximum compensation exclusive of medical benefits which shall be  
5 paid for any injury under any provision of this law or any combination  
6 of provisions shall not exceed thirty thousand dollars (\$30,000) in any  
7 case. With respect to any injury occurring on and after July 1, 1974,  
8 and before July 1, 1976, the maximum compensation exclusive of  
9 medical benefits which shall be paid for an injury under any provision  
10 of this law or any combination of provisions shall not exceed forty-five  
11 thousand dollars (\$45,000) in any case. With respect to an injury  
12 occurring on and after July 1, 1976, and before July 1, 1977, the  
13 maximum compensation, exclusive of medical benefits, which shall be  
14 paid for any injury under any provision of this law or any combination  
15 of provisions shall not exceed fifty-two thousand dollars (\$52,000) in  
16 any case. With respect to any injury occurring on and after July 1,  
17 1977, and before July 1, 1979, the maximum compensation, exclusive  
18 of medical benefits, which may be paid for an injury under any  
19 provision of this law or any combination of provisions may not exceed  
20 sixty thousand dollars (\$60,000) in any case. With respect to any injury  
21 occurring on and after July 1, 1979, and before July 1, 1980, the  
22 maximum compensation, exclusive of medical benefits, which may be  
23 paid for an injury under any provisions of this law or any combination  
24 of provisions may not exceed sixty-five thousand dollars (\$65,000) in  
25 any case. With respect to any injury occurring on and after July 1,  
26 1980, and before July 1, 1983, the maximum compensation, exclusive  
27 of medical benefits, which may be paid for an injury under any  
28 provisions of this law or any combination of provisions may not exceed  
29 seventy thousand dollars (\$70,000) in any case. With respect to any  
30 injury occurring on and after July 1, 1983, and before July 1, 1984, the  
31 maximum compensation, exclusive of medical benefits, which may be  
32 paid for an injury under any provisions of this law or any combination  
33 of provisions may not exceed seventy-eight thousand dollars (\$78,000)  
34 in any case. With respect to any injury occurring on and after July 1,  
35 1984, and before July 1, 1985, the maximum compensation, exclusive  
36 of medical benefits, which may be paid for an injury under any  
37 provisions of this law or any combination of provisions may not exceed  
38 eighty-three thousand dollars (\$83,000) in any case. With respect to

1 any injury occurring on and after July 1, 1985, and before July 1, 1986,  
2 the maximum compensation, exclusive of medical benefits, which may  
3 be paid for an injury under any provisions of this law or any  
4 combination of provisions may not exceed eighty-nine thousand dollars  
5 (\$89,000) in any case. With respect to any injury occurring on and after  
6 July 1, 1986, and before July 1, 1988, the maximum compensation,  
7 exclusive of medical benefits, which may be paid for an injury under  
8 any provisions of this law or any combination of provisions may not  
9 exceed ninety-five thousand dollars (\$95,000) in any case. With respect  
10 to any injury occurring on and after July 1, 1988, and before July 1,  
11 1989, the maximum compensation, exclusive of medical benefits,  
12 which may be paid for an injury under any provisions of this law or any  
13 combination of provisions may not exceed one hundred twenty-eight  
14 thousand dollars (\$128,000) in any case.

15 With respect to any injury occurring on and after July 1, 1989, and  
16 before July 1, 1990, the maximum compensation, exclusive of medical  
17 benefits, which may be paid for an injury under any provisions of this  
18 law or any combination of provisions may not exceed one hundred  
19 thirty-seven thousand dollars (\$137,000) in any case.

20 With respect to any injury occurring on and after July 1, 1990, and  
21 before July 1, 1991, the maximum compensation, exclusive of medical  
22 benefits, which may be paid for an injury under any provisions of this  
23 law or any combination of provisions may not exceed one hundred  
24 forty-seven thousand dollars (\$147,000) in any case.

25 With respect to any injury occurring on and after July 1, 1991, and  
26 before July 1, 1992, the maximum compensation, exclusive of medical  
27 benefits, that may be paid for an injury under any provisions of this law  
28 or any combination of provisions may not exceed one hundred  
29 sixty-four thousand dollars (\$164,000) in any case.

30 With respect to any injury occurring on and after July 1, 1992, and  
31 before July 1, 1993, the maximum compensation, exclusive of medical  
32 benefits, that may be paid for an injury under any provisions of this law  
33 or any combination of provisions may not exceed one hundred eighty  
34 thousand dollars (\$180,000) in any case.

35 With respect to any injury occurring on and after July 1, 1993, and  
36 before July 1, 1994, the maximum compensation, exclusive of medical  
37 benefits, that may be paid for an injury under any provisions of this law  
38 or any combination of provisions may not exceed one hundred

1 ninety-seven thousand dollars (\$197,000) in any case.

2 With respect to any injury occurring on and after July 1, 1994, and  
3 before July 1, 1997, the maximum compensation, exclusive of medical  
4 benefits, which may be paid for an injury under any provisions of this  
5 law or any combination of provisions may not exceed two hundred  
6 fourteen thousand dollars (\$214,000) in any case.

7 (e) The maximum compensation, exclusive of medical benefits, that  
8 may be paid for an injury under any provision of this law or any  
9 combination of provisions may not exceed the following amounts in  
10 any case:

11 (1) With respect to an injury occurring on and after July 1, 1997,  
12 and before July 1, 1998, two hundred twenty-four thousand  
13 dollars (\$224,000).

14 (2) With respect to an injury occurring on and after July 1, 1998,  
15 and before July 1, 1999, two hundred thirty-four thousand dollars  
16 (\$234,000).

17 (3) With respect to an injury occurring on and after July 1, 1999,  
18 and before July 1, 2000, two hundred forty-four thousand dollars  
19 (\$244,000).

20 (4) With respect to an injury occurring on and after July 1, 2000,  
21 and before July 1, 2001, two hundred fifty-four thousand dollars  
22 (\$254,000).

23 (5) With respect to an injury occurring on and after July 1, 2001,  
24 and before July 1, 2002, two hundred seventy-four thousand  
25 dollars (\$274,000).

26 (6) With respect to an injury occurring on and after July 1, 2002,  
27 two hundred ninety-four thousand dollars (\$294,000)."

28 Page 16, line 11, after "2001," insert "**and before July 1, 2002,**".

29 Page 16, between lines 18 and 19, begin a new line block indented  
30 and insert:

31 "**(9) With respect to disablements occurring on and after July**  
32 **1, 2002, and before July 1, 2003, for each degree of permanent**  
33 **impairment from one (1) to ten (10), two thousand fifty**  
34 **dollars (\$2,050) per degree; for each degree of permanent**  
35 **impairment from eleven (11) to thirty-five (35), two thousand**  
36 **seven hundred dollars (\$2,700) per degree; for each degree of**  
37 **permanent impairment from thirty-six (36) to fifty (50), three**  
38 **thousand three hundred dollars (\$3,300) per degree; for each**

1           **degree of permanent impairment above fifty (50), three**  
 2           **thousand nine hundred dollars (\$3,900) per degree.**  
 3           **(10) With respect to disablements occurring on and after July**  
 4           **1, 2003, for each degree of permanent impairment from one**  
 5           **(1) to ten (10), two thousand four hundred dollars (\$2,400) per**  
 6           **degree; for each degree of permanent impairment from eleven**  
 7           **(11) to thirty-five (35), three thousand seventy-five dollars**  
 8           **(\$3,075) per degree; for each degree of permanent**  
 9           **impairment from thirty-six (36) to fifty (50), three thousand**  
 10           **seven hundred seventy-five dollars (\$3,775) per degree; for**  
 11           **each degree of permanent impairment above fifty (50), four**  
 12           **thousand five hundred twenty-five dollars (\$4,525 ) per**  
 13           **degree. "**

14           Page 17, line 2, strike "injuries" and insert "**disablements**".

15           Page 17, line 4, strike "injuries" and insert "**disablements**".

16           Page 17, line 4, after "2002," insert "**and before July 1, 2003,**".

17           Page 17, between lines 5 and 6, begin a new line block indented and  
 18           insert:

19           **"(11) With respect to disablements occurring on or after July**  
 20           **1, 2003, nine hundred forty-two dollars (\$942)."**

21           Page 23, between lines 24 and 25, begin a new paragraph and insert:

22           "SECTION 10. IC 22-3-7-19, AS AMENDED BY P.L.31-2000,  
 23           SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24           JULY 1, 2002]: Sec. 19. (a) In computing compensation for temporary  
 25           total disability, temporary partial disability, and total permanent  
 26           disability under this law with respect to occupational diseases  
 27           occurring:

28           (1) on and after July 1, 1974, and before July 1, 1976, the average  
 29           weekly wages shall be considered to be:

30           (A) not more than one hundred thirty-five dollars (\$135); and

31           (B) not less than seventy-five dollars (\$75);

32           (2) on and after July 1, 1976, and before July 1, 1977, the average  
 33           weekly wages shall be considered to be:

34           (A) not more than one hundred fifty-six dollars (\$156); and

35           (B) not less than seventy-five dollars (\$75);

36           (3) on and after July 1, 1977, and before July 1, 1979, the average  
 37           weekly wages are considered to be:

38           (A) not more than one hundred eighty dollars (\$180); and

- 1 (B) not less than seventy-five dollars (\$75);  
2 (4) on and after July 1, 1979, and before July 1, 1980, the average  
3 weekly wages are considered to be:  
4 (A) not more than one hundred ninety-five dollars (\$195); and  
5 (B) not less than seventy-five dollars (\$75);  
6 (5) on and after July 1, 1980, and before July 1, 1983, the average  
7 weekly wages are considered to be:  
8 (A) not more than two hundred ten dollars (\$210); and  
9 (B) not less than seventy-five dollars (\$75);  
10 (6) on and after July 1, 1983, and before July 1, 1984, the average  
11 weekly wages are considered to be:  
12 (A) not more than two hundred thirty-four dollars (\$234); and  
13 (B) not less than seventy-five dollars (\$75); and  
14 (7) on and after July 1, 1984, and before July 1, 1985, the average  
15 weekly wages are considered to be:  
16 (A) not more than two hundred forty-nine dollars (\$249); and  
17 (B) not less than seventy-five dollars (\$75).  
18 (b) In computing compensation for temporary total disability,  
19 temporary partial disability, and total permanent disability, with respect  
20 to occupational diseases occurring on and after July 1, 1985, and before  
21 July 1, 1986, the average weekly wages are considered to be:  
22 (1) not more than two hundred sixty-seven dollars (\$267); and  
23 (2) not less than seventy-five dollars (\$75).  
24 (c) In computing compensation for temporary total disability,  
25 temporary partial disability, and total permanent disability, with respect  
26 to occupational diseases occurring on and after July 1, 1986, and before  
27 July 1, 1988, the average weekly wages are considered to be:  
28 (1) not more than two hundred eighty-five dollars (\$285); and  
29 (2) not less than seventy-five dollars (\$75).  
30 (d) In computing compensation for temporary total disability,  
31 temporary partial disability, and total permanent disability, with respect  
32 to occupational diseases occurring on and after July 1, 1988, and before  
33 July 1, 1989, the average weekly wages are considered to be:  
34 (1) not more than three hundred eighty-four dollars (\$384); and  
35 (2) not less than seventy-five dollars (\$75).  
36 (e) In computing compensation for temporary total disability,  
37 temporary partial disability, and total permanent disability, with respect  
38 to occupational diseases occurring on and after July 1, 1989, and before

- 1 July 1, 1990, the average weekly wages are considered to be:
- 2 (1) not more than four hundred eleven dollars (\$411); and
- 3 (2) not less than seventy-five dollars (\$75).
- 4 (f) In computing compensation for temporary total disability,
- 5 temporary partial disability, and total permanent disability, with respect
- 6 to occupational diseases occurring on and after July 1, 1990, and before
- 7 July 1, 1991, the average weekly wages are considered to be:
- 8 (1) not more than four hundred forty-one dollars (\$441); and
- 9 (2) not less than seventy-five dollars (\$75).
- 10 (g) In computing compensation for temporary total disability,
- 11 temporary partial disability, and total permanent disability, with respect
- 12 to occupational diseases occurring on and after July 1, 1991, and before
- 13 July 1, 1992, the average weekly wages are considered to be:
- 14 (1) not more than four hundred ninety-two dollars (\$492); and
- 15 (2) not less than seventy-five dollars (\$75).
- 16 (h) In computing compensation for temporary total disability,
- 17 temporary partial disability, and total permanent disability, with respect
- 18 to occupational diseases occurring on and after July 1, 1992, and before
- 19 July 1, 1993, the average weekly wages are considered to be:
- 20 (1) not more than five hundred forty dollars (\$540); and
- 21 (2) not less than seventy-five dollars (\$75).
- 22 (i) In computing compensation for temporary total disability,
- 23 temporary partial disability, and total permanent disability, with respect
- 24 to occupational diseases occurring on and after July 1, 1993, and before
- 25 July 1, 1994, the average weekly wages are considered to be:
- 26 (1) not more than five hundred ninety-one dollars (\$591); and
- 27 (2) not less than seventy-five dollars (\$75).
- 28 (j) In computing compensation for temporary total disability,
- 29 temporary partial disability and total permanent disability, with respect
- 30 to occupational diseases occurring on and after July 1, 1994, and before
- 31 July 1, 1997, the average weekly wages are considered to be:
- 32 (1) not more than six hundred forty-two dollars (\$642); and
- 33 (2) not less than seventy-five dollars (\$75).
- 34 (k) In computing compensation for temporary total disability,
- 35 temporary partial disability, and total permanent disability, the average
- 36 weekly wages are considered to be:
- 37 (1) with respect to occupational diseases occurring on and after
- 38 July 1, 1997, and before July 1, 1998:

- 1 (A) not more than six hundred seventy-two dollars (\$672); and  
 2 (B) not less than seventy-five dollars (\$75);  
 3 (2) with respect to occupational diseases occurring on and after  
 4 July 1, 1998, and before July 1, 1999:  
 5 (A) not more than seven hundred two dollars (\$702); and  
 6 (B) not less than seventy-five dollars (\$75);  
 7 (3) with respect to occupational diseases occurring on and after  
 8 July 1, 1999, and before July 1, 2000:  
 9 (A) not more than seven hundred thirty-two dollars (\$732);  
 10 and  
 11 (B) not less than seventy-five dollars (\$75);  
 12 (4) with respect to occupational diseases occurring on and after  
 13 July 1, 2000, and before July 1, 2001:  
 14 (A) not more than seven hundred sixty-two dollars (\$762); and  
 15 (B) not less than seventy-five dollars (\$75);  
 16 (5) with respect to ~~disabilities~~ **occupational diseases** occurring  
 17 on and after July 1, 2001, and before July 1, 2002:  
 18 (A) not more than eight hundred twenty-two dollars (\$822);  
 19 and  
 20 (B) not less than seventy-five dollars (\$75); ~~and~~  
 21 (6) with respect to ~~disabilities~~ **occupational diseases** occurring  
 22 on and after July 1, 2002, **and before July 1, 2003:**  
 23 (A) not more than eight hundred eighty-two dollars (\$882);  
 24 and  
 25 (B) not less than seventy-five dollars (\$75); **and**  
 26 **(7) with respect to occupational diseases occurring on and**  
 27 **after July 1, 2003:**  
 28 **(A) not more than nine hundred forty-two dollars (\$942);**  
 29 **and**  
 30 **(B) not less than seventy-five dollars (\$75).**  
 31 (l) The maximum compensation that shall be paid for occupational  
 32 disease and its results under any one (1) or more provisions of this  
 33 chapter with respect to disability or death occurring:  
 34 (1) on and after July 1, 1974, and before July 1, 1976, shall not  
 35 exceed forty-five thousand dollars (\$45,000) in any case;  
 36 (2) on and after July 1, 1976, and before July 1, 1977, shall not  
 37 exceed fifty-two thousand dollars (\$52,000) in any case;  
 38 (3) on and after July 1, 1977, and before July 1, 1979, may not



1 exceed sixty thousand dollars (\$60,000) in any case;

2 (4) on and after July 1, 1979, and before July 1, 1980, may not  
3 exceed sixty-five thousand dollars (\$65,000) in any case;

4 (5) on and after July 1, 1980, and before July 1, 1983, may not  
5 exceed seventy thousand dollars (\$70,000) in any case;

6 (6) on and after July 1, 1983, and before July 1, 1984, may not  
7 exceed seventy-eight thousand dollars (\$78,000) in any case; and

8 (7) on and after July 1, 1984, and before July 1, 1985, may not  
9 exceed eighty-three thousand dollars (\$83,000) in any case.

10 (m) The maximum compensation with respect to disability or death  
11 occurring on and after July 1, 1985, and before July 1, 1986, which  
12 shall be paid for occupational disease and the results thereof under the  
13 provisions of this chapter or under any combination of its provisions  
14 may not exceed eighty-nine thousand dollars (\$89,000) in any case.  
15 The maximum compensation with respect to disability or death  
16 occurring on and after July 1, 1986, and before July 1, 1988, which  
17 shall be paid for occupational disease and the results thereof under the  
18 provisions of this chapter or under any combination of its provisions  
19 may not exceed ninety-five thousand dollars (\$95,000) in any case. The  
20 maximum compensation with respect to disability or death occurring  
21 on and after July 1, 1988, and before July 1, 1989, that shall be paid for  
22 occupational disease and the results thereof under this chapter or under  
23 any combination of its provisions may not exceed one hundred  
24 twenty-eight thousand dollars (\$128,000) in any case.

25 (n) The maximum compensation with respect to disability or death  
26 occurring on and after July 1, 1989, and before July 1, 1990, that shall  
27 be paid for occupational disease and the results thereof under this  
28 chapter or under any combination of its provisions may not exceed one  
29 hundred thirty-seven thousand dollars (\$137,000) in any case.

30 (o) The maximum compensation with respect to disability or death  
31 occurring on and after July 1, 1990, and before July 1, 1991, that shall  
32 be paid for occupational disease and the results thereof under this  
33 chapter or under any combination of its provisions may not exceed one  
34 hundred forty-seven thousand dollars (\$147,000) in any case.

35 (p) The maximum compensation with respect to disability or death  
36 occurring on and after July 1, 1991, and before July 1, 1992, that shall  
37 be paid for occupational disease and the results thereof under this  
38 chapter or under any combination of the provisions of this chapter may

1 not exceed one hundred sixty-four thousand dollars (\$164,000) in any  
2 case.

3 (q) The maximum compensation with respect to disability or death  
4 occurring on and after July 1, 1992, and before July 1, 1993, that shall  
5 be paid for occupational disease and the results thereof under this  
6 chapter or under any combination of the provisions of this chapter may  
7 not exceed one hundred eighty thousand dollars (\$180,000) in any case.

8 (r) The maximum compensation with respect to disability or death  
9 occurring on and after July 1, 1993, and before July 1, 1994, that shall  
10 be paid for occupational disease and the results thereof under this  
11 chapter or under any combination of the provisions of this chapter may  
12 not exceed one hundred ninety-seven thousand dollars (\$197,000) in  
13 any case.

14 (s) The maximum compensation with respect to disability or death  
15 occurring on and after July 1, 1994, and before July 1, 1997, that shall  
16 be paid for occupational disease and the results thereof under this  
17 chapter or under any combination of the provisions of this chapter may  
18 not exceed two hundred fourteen thousand dollars (\$214,000) in any  
19 case.

20 (t) The maximum compensation that shall be paid for occupational  
21 disease and the results of an occupational disease under this chapter or  
22 under any combination of the provisions of this chapter may not exceed  
23 the following amounts in any case:

24 (1) With respect to disability or death occurring on and after July  
25 1, 1997, and before July 1, 1998, two hundred twenty-four  
26 thousand dollars (\$224,000).

27 (2) With respect to disability or death occurring on and after July  
28 1, 1998, and before July 1, 1999, two hundred thirty-four  
29 thousand dollars (\$234,000).

30 (3) With respect to disability or death occurring on and after July  
31 1, 1999, and before July 1, 2000, two hundred forty-four thousand  
32 dollars (\$244,000).

33 (4) With respect to disability or death occurring on and after July  
34 1, 2000, and before July 1, 2001, two hundred fifty-four thousand  
35 dollars (\$254,000).

36 (5) With respect to disability or death occurring on and after July  
37 1, 2001, and before July 1, 2002, two hundred seventy-four  
38 thousand dollars (\$274,000).

1           (6) With respect to disability or death occurring on and after July  
2           1, 2002, two hundred ninety-four thousand dollars (\$294,000).

3           (u) For all disabilities occurring before July 1, 1985, "average  
4           weekly wages" shall mean the earnings of the injured employee in the  
5           employment in which the employee was working at the time of the last  
6           exposure during the period of fifty-two (52) weeks immediately  
7           preceding the last day of the last exposure divided by fifty-two (52). If  
8           the employee lost seven (7) or more calendar days during the period,  
9           although not in the same week, then the earnings for the remainder of  
10          the fifty-two (52) weeks shall be divided by the number of weeks and  
11          parts thereof remaining after the time lost has been deducted. Where  
12          the employment prior to the last day of the last exposure extended over  
13          a period of less than fifty-two (52) weeks, the method of dividing the  
14          earnings during that period by the number of weeks and parts thereof  
15          during which the employee earned wages shall be followed if results  
16          just and fair to both parties will be obtained. Where by reason of the  
17          shortness of the time during which the employee has been in the  
18          employment of the employer or of the casual nature or terms of the  
19          employment it is impracticable to compute the average weekly wages  
20          as above defined, regard shall be had to the average weekly amount  
21          which, during the fifty-two (52) weeks previous to the last day of the  
22          last exposure, was being earned by a person in the same grade  
23          employed at the same work by the same employer, or if there is no  
24          person so employed, by a person in the same grade employed in that  
25          same class of employment in the same district. Whenever allowances  
26          of any character are made to an employee in lieu of wages or a  
27          specified part of the wage contract, they shall be deemed a part of the  
28          employee's earnings.

29          (v) For all disabilities occurring on and after July 1, 1985, "average  
30          weekly wages" means the earnings of the injured employee during the  
31          period of fifty-two (52) weeks immediately preceding the disability  
32          divided by fifty-two (52). If the employee lost seven (7) or more  
33          calendar days during the period, although not in the same week, then  
34          the earnings for the remainder of the fifty-two (52) weeks shall be  
35          divided by the number of weeks and parts of weeks remaining after the  
36          time lost has been deducted. If employment before the date of disability  
37          extended over a period of less than fifty-two (52) weeks, the method of  
38          dividing the earnings during that period by the number of weeks and

1 parts of weeks during which the employee earned wages shall be  
 2 followed if results just and fair to both parties will be obtained. If by  
 3 reason of the shortness of the time during which the employee has been  
 4 in the employment of the employer or of the casual nature or terms of  
 5 the employment it is impracticable to compute the average weekly  
 6 wages for the employee, the employee's average weekly wages shall be  
 7 considered to be the average weekly amount that, during the fifty-two  
 8 (52) weeks before the date of disability, was being earned by a person  
 9 in the same grade employed at the same work by the same employer or,  
 10 if there is no person so employed, by a person in the same grade  
 11 employed in that same class of employment in the same district.  
 12 Whenever allowances of any character are made to an employee  
 13 instead of wages or a specified part of the wage contract, they shall be  
 14 considered a part of the employee's earnings.

15 (w) The provisions of this article may not be construed to result in  
 16 an award of benefits in which the number of weeks paid or to be paid  
 17 for temporary total disability, temporary partial disability, or permanent  
 18 total disability benefits combined exceeds five hundred (500) weeks.  
 19 This section shall not be construed to prevent a person from applying  
 20 for an award under IC 22-3-3-13. However, in case of permanent total  
 21 disability resulting from a disablement occurring on or after January 1,  
 22 1998, the minimum total benefit shall not be less than seventy-five  
 23 thousand dollars (\$75,000)."

24 Page 27, between lines 32 and 33, begin a new paragraph and insert:

25 "SECTION 13. IC 22-4-2-12 IS AMENDED TO READ AS  
 26 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 12. (a) **Except as**  
 27 **provided in subsections (b) and (c)**, "base period" means the first four  
 28 (4) of the last five (5) completed calendar quarters immediately  
 29 preceding the first day of an individual's benefit period. ~~Provided;~~  
 30 However, ~~That~~ for a claim computed in accordance with IC ~~1971;~~  
 31 22-4-22, the base period shall be the base period as outlined in the  
 32 paying state's law.

33 (b) **Effective July 1, 2002, "base period" also includes, in the case**  
 34 **of an individual who does not have sufficient wages in the base**  
 35 **period as set forth in subsection (a), the last four (4) completed**  
 36 **calendar quarters immediately preceding the first day of the**  
 37 **benefit year of the individual if the period qualifies the individual**  
 38 **for benefits under this chapter. Wages that fall within the base**

1 **period of claims established under this subsection are not available**  
 2 **for reuse in qualifying for a subsequent benefit year.**

3 (c) **In the case of a combined wage claim under an arrangement**  
 4 **approved by the United States Secretary of Labor, the base period**  
 5 **is the period applicable under the unemployment compensation**  
 6 **law of the paying state.**

7 (d) **The department shall adopt rules under IC 4-22-2 to obtain**  
 8 **wage information if wage information for the most recent quarter**  
 9 **of the base period as set forth under subsection (b) is not available**  
 10 **to the department from regular quarterly reports of wage**  
 11 **information that is systemically accessible.**

12 SECTION 14. IC 22-4-2-12.5 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 12.5. (a)  
 14 Notwithstanding section 12 of this chapter, for an individual who  
 15 during the "base period" as defined in that section has received  
 16 worker's compensation benefits under IC 22-3-3 for a period of  
 17 fifty-two (52) weeks or less, and as a result has not earned sufficient  
 18 wage credits to meet the requirements of IC 22-4-14-5, "base period"  
 19 means the first four (4) of the last five (5) completed calendar quarters  
 20 immediately preceding the last day that the individual was able to  
 21 work, as a result of the individual's injury.

22 (b) **The provisions of section 12(b), 12(c), and 12(d) of this**  
 23 **chapter apply beginning July 1, 2002.**

24 SECTION 15. IC 22-4-2-22 IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 22. "Valid claim"  
 26 means a claim filed by an individual who has established qualifying  
 27 wage credits and who is totally, partially, or part-totally unemployed;  
 28 Provided, no individual in a benefit period may file a valid claim for a  
 29 ~~waiting period or~~ benefit period rights with respect to any period  
 30 subsequent to the expiration of such benefit period.

31 SECTION 16. IC 22-4-2-29 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 29. "Insured  
 33 unemployment" means unemployment during a given week for which  
 34 waiting period credit or benefits, **if applicable**, are claimed under the  
 35 state employment security program, the unemployment compensation  
 36 for federal employees program, the unemployment compensation for  
 37 veterans program, or the railroad unemployment insurance program.

38 SECTION 17. IC 22-4-4-3, AS AMENDED BY P.L.30-2000,

1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2002]: Sec. 3. (a) For calendar quarters beginning on and after  
3 April 1, 1979, and before April 1, 1984, "wage credits" means  
4 remuneration paid for employment by an employer to an individual.  
5 Wage credits may not exceed three thousand six hundred sixty-six  
6 dollars (\$3,666) and may not include payments specified in section  
7 2(b) of this chapter.

8 (b) For calendar quarters beginning on and after April 1, 1984, and  
9 before April 1, 1985, "wage credits" means remuneration paid for  
10 employment by an employer to an individual. Wage credits may not  
11 exceed three thousand nine hundred twenty-six dollars (\$3,926) and  
12 may not include payments specified in section 2(b) of this chapter.

13 (c) For calendar quarters beginning on and after April 1, 1985, and  
14 before January 1, 1991, "wage credits" means remuneration paid for  
15 employment by an employer to an individual. Wage credits may not  
16 exceed four thousand one hundred eighty-six dollars (\$4,186) and may  
17 not include payments specified in section 2(b) of this chapter.

18 (d) For calendar quarters beginning on and after January 1, 1991,  
19 and before July 1, 1995, "wage credits" means remuneration paid for  
20 employment by an employer to an individual. Wage credits may not  
21 exceed four thousand eight hundred ten dollars (\$4,810) and may not  
22 include payments specified in section 2(b) of this chapter.

23 (e) For calendar quarters beginning on and after July 1, 1995, and  
24 before July 1, 1997, "wage credits" means remuneration paid for  
25 employment by an employer to an individual and remuneration  
26 received as tips or gratuities in accordance with Sections 3102 and  
27 3301 et seq. of the Internal Revenue Code. Wage credits may not  
28 exceed five thousand dollars (\$5,000) and may not include payments  
29 specified in section 2(b) of this chapter.

30 (f) For calendar quarters beginning on and after July 1, 1997, and  
31 before July 1, 1998, "wage credits" means remuneration paid for  
32 employment by an employer to an individual and remuneration  
33 received as tips or gratuities in accordance with Sections 3102 and  
34 3301 et seq. of the Internal Revenue Code. Wage credits may not  
35 exceed five thousand four hundred dollars (\$5,400) and may not  
36 include payments specified in section 2(b) of this chapter.

37 (g) For calendar quarters beginning on and after July 1, 1998, and  
38 before July 1, 1999, "wage credits" means remuneration paid for

1 employment by an employer to an individual and remuneration  
2 received as tips or gratuities in accordance with Sections 3102 and  
3 3301 et seq. of the Internal Revenue Code. Wage credits may not  
4 exceed five thousand six hundred dollars (\$5,600) and may not include  
5 payments that are excluded from the definition of wages under section  
6 2(b) of this chapter.

7 (h) For calendar quarters beginning on and after July 1, 1999, and  
8 before July 1, 2000, "wage credits" means remuneration paid for  
9 employment by an employer to an individual and remuneration  
10 received as tips or gratuities in accordance with Sections 3102 and  
11 3301 et seq. of the Internal Revenue Code. Wage credits may not  
12 exceed five thousand eight hundred dollars (\$5,800) and may not  
13 include payments that are excluded from the definition of wages under  
14 section 2(b) of this chapter.

15 (i) For calendar quarters beginning on and after July 1, 2000, and  
16 before July 1, 2001, "wage credits" means remuneration paid for  
17 employment by an employer to an individual and remuneration  
18 received as tips or gratuities in accordance with Sections 3102 and  
19 3301 et seq. of the Internal Revenue Code. Wage credits may not  
20 exceed six thousand seven hundred dollars (\$6,700) and may not  
21 include payments that are excluded from the definition of wages under  
22 section 2(b) of this chapter.

23 (j) For calendar quarters beginning on and after July 1, 2001, and  
24 before July 1, 2002, "wage credits" means remuneration paid for  
25 employment by an employer to an individual and remuneration  
26 received as tips or gratuities in accordance with Sections 3102 and  
27 3301 et seq. of the Internal Revenue Code. Wage credits may not  
28 exceed seven thousand three hundred dollars (\$7,300) and may not  
29 include payments that are excluded from the definition of wages under  
30 section 2(b) of this chapter.

31 (k) For calendar quarters beginning on and after July 1, 2002, **and**  
32 **before July 1, 2003**, "wage credits" means remuneration paid for  
33 employment by an employer to an individual and remuneration  
34 received as tips or gratuities in accordance with Sections 3102 and  
35 3301 et seq. of the Internal Revenue Code. Wage credits may not  
36 exceed seven thousand nine hundred dollars (\$7,900) and may not  
37 include payments that are excluded from the definition of wages under  
38 section 2(b) of this chapter.

1           **(l) For calendar quarters beginning on and after July 1, 2003,**  
 2           **"wage credits" means remuneration paid for employment by an**  
 3           **employer to an individual and remuneration received as tips or**  
 4           **gratuities in accordance with Sections 3102 and 3301 et seq. of the**  
 5           **Internal Revenue Code. Wage credits may not exceed eight**  
 6           **thousand five hundred dollars (\$8,500) and may not include**  
 7           **payments that are excluded from the definition of wages under**  
 8           **section 2(b) of this chapter.**

9           SECTION 18. IC 22-4-12-2, AS AMENDED BY P.L.235-1999,  
 10          SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11          JULY 1, 2002]: Sec. 2. (a) With respect to initial claims filed for any  
 12          week beginning on and after July 6, 1980, and before July 7, 1985,  
 13          each eligible individual who is totally unemployed (as defined in  
 14          IC 22-4-3-1) in any week in the individual's benefit period shall be paid  
 15          for the week, if properly claimed, benefits at the rate of four and  
 16          three-tenths percent (4.3%) of the individual's wage credits in the  
 17          calendar quarter during the individual's base period in which the wage  
 18          credits were highest. However, the weekly benefit amount may not  
 19          exceed:

- 20               (1) eighty-four dollars (\$84) if the eligible and qualified  
 21               individual has no dependents;  
 22               (2) ninety-nine dollars (\$99) if the eligible and qualified  
 23               individual has one (1) dependent;  
 24               (3) one hundred thirteen dollars (\$113) if the eligible and  
 25               qualified individual has two (2) dependents;  
 26               (4) one hundred twenty-eight dollars (\$128) if the eligible and  
 27               qualified individual has three (3) dependents; or  
 28               (5) one hundred forty-one dollars (\$141) if the eligible and  
 29               qualified individual has four (4) or more dependents.

30          With respect to initial claims filed for any week beginning on and  
 31          after July 7, 1985, and before July 6, 1986, each eligible individual who  
 32          is totally unemployed (as defined in IC 22-4-3-1) in any week in the  
 33          individual's benefit period shall be paid for the week, if properly  
 34          claimed, benefits at the rate of four and three-tenths percent (4.3%) of  
 35          the individual's wage credits in the calendar quarter during the  
 36          individual's base period in which the wage credits were highest.  
 37          However, the weekly benefit amount may not exceed:

- 38               (1) ninety dollars (\$90) if the eligible and qualified individual has



- 1 no dependents;  
 2 (2) one hundred six dollars (\$106) if the eligible and qualified  
 3 individual has one (1) dependent;  
 4 (3) one hundred twenty-one dollars (\$121) if the eligible and  
 5 qualified individual has two (2) dependents;  
 6 (4) one hundred thirty-seven dollars (\$137) if the eligible and  
 7 qualified individual has three (3) dependents; or  
 8 (5) one hundred fifty-one dollars (\$151) if the eligible and  
 9 qualified individual has four (4) or more dependents.

10 With respect to initial claims filed for any week beginning on and  
 11 after July 6, 1986, and before July 7, 1991, each eligible individual who  
 12 is totally unemployed (as defined in IC 22-4-3-1) in any week in the  
 13 individual's benefit period shall be paid for the week, if properly  
 14 claimed, benefits at the rate of four and three-tenths percent (4.3%) of  
 15 the individual's wage credits in the calendar quarter during the  
 16 individual's base period in which the wage credits were highest.  
 17 However, the weekly benefit amount may not exceed:

- 18 (1) ninety-six dollars (\$96) if the eligible and qualified individual  
 19 has no dependents;  
 20 (2) one hundred thirteen dollars (\$113) if the eligible and  
 21 qualified individual has one (1) dependent;  
 22 (3) one hundred twenty-nine dollars (\$129) if the eligible and  
 23 qualified individual has two (2) dependents;  
 24 (4) one hundred forty-seven dollars (\$147) if the eligible and  
 25 qualified individual has three (3) dependents; or  
 26 (5) one hundred sixty-one dollars (\$161) if the eligible and  
 27 qualified individual has four (4) or more dependents.

28 With respect to initial claims filed for any week beginning on and  
 29 after July 7, 1991, benefits shall be paid in accordance with subsections  
 30 (d) through (k).

31 For the purpose of this subsection and subsections (e) through (g),  
 32 the term "dependent" means lawful husband or wife, natural child,  
 33 adopted child, stepchild, if such stepchild is not receiving aid to  
 34 dependent children under the welfare program, or child placed in the  
 35 claimant's home for adoption by an authorized placement agency or a  
 36 court of law, provided such child is under eighteen (18) years of age  
 37 and that such dependent claimed has received more than one-half (1/2)  
 38 the cost of support from the claimant during ninety (90) days (or for

1 duration of relationship, if less) immediately preceding the claimant's  
2 benefit year beginning date, but only if such dependent who is the  
3 lawful husband or wife is unemployed and currently ineligible for  
4 Indiana benefits because of insufficient base period wages. The number  
5 and status of dependents shall be determined as of the beginning of the  
6 claimant's benefit period and shall not be changed during that benefit  
7 period.

8 With respect to initial claims filed for any week beginning on and  
9 after July 6, 1980, the term "dependent" shall include a person with a  
10 disability over eighteen (18) years of age who is a child of the claimant  
11 and who receives more than one-half (1/2) the cost of his support from  
12 the claimant during the ninety (90) day period immediately preceding  
13 the claimant's benefit year beginning date. "Child" includes a natural  
14 child, an adopted child, a stepchild of claimant, if the stepchild is not  
15 receiving aid to dependent children under the welfare program, or a  
16 child placed in the claimant's home for adoption by an authorized  
17 placement agency or a court of law. The term "disabled" means an  
18 individual who by reason of physical or mental defect or infirmity,  
19 whether congenital or acquired by accident, injury, or disease, is totally  
20 or partially prevented from achieving the fullest attainable physical,  
21 social, economic, mental, and vocational participation in the normal  
22 process of living.

23 For the purpose of this subsection, the term "dependent" includes a  
24 child for whom claimant is the court appointed legal guardian.

25 On and after July 6, 1980, and before July 7, 1991, if the weekly  
26 benefit amount is less than forty dollars (\$40), the board, through the  
27 commissioner, shall pay benefits at the rate of forty dollars (\$40) per  
28 week. On and after July 7, 1991, if the weekly benefit amount is less  
29 than fifty dollars (\$50), the board, through the commissioner, shall pay  
30 benefits at the rate of fifty dollars (\$50) per week. If such weekly  
31 benefit amount is not a multiple of one dollar (\$1), it shall be computed  
32 to the next lower multiple of one dollar (\$1).

33 (b) Each eligible individual who is partially or part-totally  
34 unemployed in any week shall be paid with respect to such week a  
35 benefit in an amount equal to his weekly benefit amount, less his  
36 deductible income, if any, for such week. If such partial benefit is not  
37 a multiple of one dollar (\$1), it shall be computed to the next lower  
38 multiple of one dollar (\$1). Except for an individual who is totally

1 unemployed, an individual who is not partially or part-totally  
 2 unemployed is not eligible for any benefit. The board may prescribe  
 3 rules governing the payment of such partial benefits, and may provide,  
 4 with respect to individuals whose earnings cannot reasonably be  
 5 computed on a weekly basis, that such benefits may be computed and  
 6 paid on other than a weekly basis; however, such rules shall secure  
 7 results reasonably equivalent to those provided in the analogous  
 8 provisions of this section.

9 (c) The weekly extended benefit amount payable to an individual for  
 10 a week of total unemployment in the individual's eligibility period shall  
 11 be an amount equal to the weekly benefit amount payable to the  
 12 individual during the individual's applicable benefit period, prior to any  
 13 reduction of such weekly benefit amount.

14 (d) With respect to initial claims filed for any week beginning on  
 15 and after July 7, 1991, and before July 1, 1995, each eligible individual  
 16 who is totally unemployed (as defined in IC 22-4-3-1) in any week in  
 17 the individual's benefit period shall be paid for the week, if properly  
 18 claimed, benefits at the rate of:

19 (1) five percent (5%) of the first one thousand dollars (\$1,000) of  
 20 the individual's wage credits in the calendar quarter during the  
 21 individual's base period in which the wage credits were highest;  
 22 and

23 (2) four percent (4%) of the individual's remaining wage credits  
 24 in the calendar quarter during the individual's base period in  
 25 which the wage credits were highest.

26 However, the weekly benefit amount may not exceed the amount  
 27 specified in subsections (e) through (i).

28 (e) With respect to initial claims filed for any week beginning on  
 29 and after July 7, 1991, and before July 5, 1992, the weekly benefit  
 30 amount may not exceed:

31 (1) one hundred sixteen dollars (\$116) if the eligible and qualified  
 32 individual has no dependents;

33 (2) one hundred thirty-four dollars (\$134) if the eligible and  
 34 qualified individual has one (1) dependent;

35 (3) one hundred fifty-three dollars (\$153) if the eligible and  
 36 qualified individual has two (2) dependents; or

37 (4) one hundred seventy-one dollars (\$171) if the eligible and  
 38 qualified individual has three (3) or more dependents.

1 (f) With respect to initial claims filed for any week beginning on  
 2 and after July 5, 1992, and before July 4, 1993, the weekly benefit  
 3 amount may not exceed:

4 (1) one hundred forty dollars (\$140) if the eligible and qualified  
 5 individual has no dependents;

6 (2) one hundred sixty dollars (\$160) if the eligible and qualified  
 7 individual has one (1) dependent; or

8 (3) one hundred eighty-one dollars (\$181) if the eligible and  
 9 qualified individual has two (2) or more dependents.

10 (g) With respect to initial claims filed for any week beginning on  
 11 and after July 4, 1993, and before July 3, 1994, the weekly benefit  
 12 amount may not exceed:

13 (1) one hundred seventy dollars (\$170) if the eligible and  
 14 qualified individual has no dependents; or

15 (2) one hundred ninety-two dollars (\$192) if the eligible and  
 16 qualified individual has one (1) or more dependents.

17 (h) With respect to initial claims filed for any week beginning on or  
 18 after July 3, 1994, and before July 1, 1995, the weekly benefit amount  
 19 may not exceed two hundred two dollars (\$202).

20 (i) With respect to initial claims filed for any week on or after July  
 21 1, 1995, the weekly benefit amount will equal the amount that results  
 22 from applying the percentages provided in subsections (j) through ~~(k)~~  
 23 **(l)** to the applicable maximum wage credits under IC 22-4-4-3.

24 (j) With respect to initial claims filed for any week beginning on and  
 25 after July 1, 1995, and before July 1, 1997, each eligible individual who  
 26 is totally unemployed (as defined in IC 22-4-3-1) in any week in the  
 27 individual's benefit period shall be paid for the week, if properly  
 28 claimed, benefits at the rate of:

29 (1) five percent (5%) of the first one thousand seven hundred fifty  
 30 dollars (\$1,750) of the individual's wage credits in the calendar  
 31 quarter during the individual's base period in which the wage  
 32 credits were highest; and

33 (2) four percent (4%) of the individual's remaining wage credits  
 34 in the calendar quarter during the individual's base period in  
 35 which the wage credits were highest.

36 However, the weekly benefit amount may not exceed the amount  
 37 specified in subsection (i).

38 (k) With respect to initial claims filed for any week beginning on

1 and after July 1, 1997, **and before July 1, 2004**, each eligible  
 2 individual who is totally unemployed (as defined in IC 22-4-3-1) in any  
 3 week in the individual's benefit period shall be paid for the week, if  
 4 properly claimed, benefits at the rate of:

5 (1) five percent (5%) of the first two thousand dollars (\$2,000) of  
 6 the individual's wage credits in the calendar quarter during the  
 7 individual's base period in which the wage credits were highest;  
 8 and

9 (2) four percent (4%) of the individual's remaining wage credits  
 10 in the calendar quarter during the individual's base period in  
 11 which the wage credits were highest.

12 **(I) With respect to initial claims filed for any week beginning on**  
 13 **and after July 1, 2004, each eligible individual who is totally**  
 14 **unemployed (as defined in IC 22-4-3-1) in any week in the**  
 15 **individual's benefit period shall be paid if properly claimed**  
 16 **according to the following:**

17 **(1) The weekly benefit amount shall be four and one-sixth**  
 18 **percent (4 1/6%) of the average quarterly wages of the**  
 19 **individual's total wages during the two (2) quarters of the**  
 20 **individual's base year in which the individual's total wages**  
 21 **were highest.**

22 **(2) The following maximum and minimum amounts payable**  
 23 **each week shall be determined as of June 30 of each year in**  
 24 **order to apply to a benefit year beginning in the twelve (12)**  
 25 **month period immediately following June 30:**

26 **(A) The maximum amount payable each week shall be fifty**  
 27 **percent (50%) of the average weekly wage for the period**  
 28 **beginning January 1 and ending June 30 of the current**  
 29 **year.**

30 **(B) The minimum amount payable each week shall be**  
 31 **fifteen percent (15%) of the average weekly wage for the**  
 32 **period beginning January 1 and ending June 30 of the**  
 33 **current year.**

34 SECTION 19. IC 22-4-14-4 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 4. ~~As a condition~~  
 36 ~~precedent to the payment of benefits to an individual with respect to~~  
 37 ~~any week such individual shall be required to serve a waiting period of~~  
 38 ~~one (1) week in which he has been totally, partially or part-totally~~

1 unemployed and with respect to which he has received no benefits, but  
 2 during which he was eligible for benefits in all other respects and was  
 3 not otherwise ineligible for benefits under any provisions of this article.  
 4 Such waiting period shall be a week in the individual's benefit period  
 5 and during such week such individual shall be physically and mentally  
 6 able to work and available for work. No An individual in a benefit  
 7 period may not file for waiting period or benefit period rights with  
 8 respect to any subsequent period. Provided, however, That no waiting  
 9 period shall be required as a prerequisite for drawing extended  
 10 benefits. "

11 Page 28, between lines 34 and 35, begin a new paragraph and insert:

12 "SECTION 21. IC 22-4-15-1, AS AMENDED BY P.L.290-2001,  
 13 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2002]: Sec. 1. (a) With respect to benefit periods established  
 15 on and after July 6, 1980, an individual who has voluntarily left the  
 16 individual's most recent employment without good cause in connection  
 17 with the work or who was discharged from the individual's most recent  
 18 employment for just cause is ineligible for ~~waiting period~~ or benefit  
 19 rights for the week in which the disqualifying separation occurred and  
 20 until the individual has earned remuneration in employment equal to  
 21 or exceeding the weekly benefit amount of the individual's claim in  
 22 each of eight (8) weeks. If the qualification amount has not been earned  
 23 at the expiration of an individual's benefit period, the unearned amount  
 24 shall be carried forward to an extended benefit period or to the benefit  
 25 period of a subsequent claim.

26 (b) When it has been determined that an individual has been  
 27 separated from employment under disqualifying conditions as outlined  
 28 in this section, the maximum benefit amount of ~~his~~ **the individual's**  
 29 current claim, as initially determined, shall be reduced by twenty-five  
 30 percent (25%). If twenty-five percent (25%) of the maximum benefit  
 31 amount is not an even dollar amount, the amount of such reduction will  
 32 be raised to the next higher even dollar amount. The maximum benefit  
 33 amount may not be reduced by more than twenty-five percent (25%)  
 34 during any benefit period or extended benefit period.

35 (c) The disqualifications provided in this section shall be subject to  
 36 the following modifications:

37 (1) An individual shall not be subject to disqualification because  
 38 of separation from the individual's employment if:

- 1 (A) the individual left to accept with another employer  
2 previously secured permanent full-time work which offered  
3 reasonable expectation of continued covered employment and  
4 betterment of wages or working conditions; and thereafter was  
5 employed on said job;
- 6 (B) having been simultaneously employed by two (2)  
7 employers, the individual leaves one (1) such employer  
8 voluntarily without good cause in connection with the work  
9 but remains in employment with the second employer with a  
10 reasonable expectation of continued employment; or
- 11 (C) the individual left to accept recall made by a base period  
12 employer.
- 13 (2) An individual whose unemployment is the result of medically  
14 substantiated physical disability and who is involuntarily  
15 unemployed after having made reasonable efforts to maintain the  
16 employment relationship shall not be subject to disqualification  
17 under this section for such separation.
- 18 (3) An individual who left work to enter the armed forces of the  
19 United States shall not be subject to disqualification under this  
20 section for such leaving of work.
- 21 (4) An individual whose employment is terminated under the  
22 compulsory retirement provision of a collective bargaining  
23 agreement to which the employer is a party, or under any other  
24 plan, system, or program, public or private, providing for  
25 compulsory retirement and who is otherwise eligible shall not be  
26 deemed to have left the individual's work voluntarily without  
27 good cause in connection with the work. However, if such  
28 individual subsequently becomes reemployed and thereafter  
29 voluntarily leaves work without good cause in connection with the  
30 work, the individual shall be deemed ineligible as outlined in this  
31 section.
- 32 (5) An otherwise eligible individual shall not be denied benefits  
33 for any week because the individual is in training approved under  
34 Section 236(a)(1) of the Trade Act of 1974, nor shall the  
35 individual be denied benefits by reason of leaving work to enter  
36 such training, provided the work left is not suitable employment,  
37 or because of the application to any week in training of provisions  
38 in this law (or any applicable federal unemployment

1 compensation law), relating to availability for work, active search  
 2 for work, or refusal to accept work. For purposes of this  
 3 subdivision, the term "suitable employment" means with respect  
 4 to an individual, work of a substantially equal or higher skill level  
 5 than the individual's past adversely affected employment (as  
 6 defined for purposes of the Trade Act of 1974), and wages for  
 7 such work at not less than eighty percent (80%) of the individual's  
 8 average weekly wage as determined for the purposes of the Trade  
 9 Act of 1974.

10 (6) An individual is not subject to disqualification because of  
 11 separation from the individual's employment if:

12 (A) the employment was outside the individual's labor market;

13 (B) the individual left to accept previously secured full-time  
 14 work with an employer in the individual's labor market; and

15 (C) the individual actually became employed with the  
 16 employer in the individual's labor market.

17 (7) An individual who, but for the voluntary separation to move  
 18 to another labor market to join a spouse who had moved to that  
 19 labor market, shall not be disqualified for that voluntary  
 20 separation, if the individual is otherwise eligible for benefits.  
 21 Benefits paid to the spouse whose eligibility is established under  
 22 this subdivision shall not be charged against the employer from  
 23 whom the spouse voluntarily separated.

24 **(8) An individual who is an affected employee (as defined in**  
 25 **IC 22-4-43-1(1)) and is subject to the work sharing**  
 26 **unemployment insurance program under IC 22-4-43 is not**  
 27 **disqualified for participating in the work sharing**  
 28 **unemployment insurance program.**

29 As used in this subsection, "labor market" means the area surrounding  
 30 an individual's permanent residence, outside which the individual  
 31 cannot reasonably commute on a daily basis. In determining whether  
 32 an individual can reasonably commute under this subdivision, the  
 33 department shall consider the nature of the individual's job.

34 (d) "Discharge for just cause" as used in this section is defined to  
 35 include but not be limited to:

36 (1) separation initiated by an employer for falsification of an  
 37 employment application to obtain employment through  
 38 subterfuge;



- 1 (2) knowing violation of a reasonable and uniformly enforced rule
- 2 of an employer;
- 3 (3) unsatisfactory attendance, if the individual cannot show good
- 4 cause for absences or tardiness;
- 5 (4) damaging the employer's property through willful negligence;
- 6 (5) refusing to obey instructions;
- 7 (6) reporting to work under the influence of alcohol or drugs or
- 8 consuming alcohol or drugs on employer's premises during
- 9 working hours;
- 10 (7) conduct endangering safety of self or coworkers; or
- 11 (8) incarceration in jail following conviction of a misdemeanor or
- 12 felony by a court of competent jurisdiction or for any breach of
- 13 duty in connection with work which is reasonably owed an
- 14 employer by an employee.

15 SECTION 22. IC 22-4-15-2, AS AMENDED BY P.L.290-2001,  
 16 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2002]: Sec. 2. (a) With respect to benefit periods established  
 18 on and after July 3, 1977, an individual is ineligible for ~~waiting period~~  
 19 ~~or~~ benefit rights, or extended benefit rights, if the department finds that,  
 20 being totally, partially, or part-totally unemployed at the time when the  
 21 work offer is effective or when the individual is directed to apply for  
 22 work, the individual fails without good cause:

- 23 (1) to apply for available, suitable work when directed by the
- 24 commissioner, the deputy, or an authorized representative of the
- 25 department of workforce development or the United States
- 26 training and employment service;
- 27 (2) to accept, at any time after the individual is notified of a
- 28 separation, suitable work when found for and offered to the
- 29 individual by the commissioner, the deputy, or an authorized
- 30 representative of the department of workforce development or the
- 31 United States training and employment service, or an employment
- 32 unit; or
- 33 (3) to return to the individual's customary self-employment when
- 34 directed by the commissioner or the deputy.

35 (b) With respect to benefit periods established on and after July 6,  
 36 1980, the ineligibility shall continue for the week in which the failure  
 37 occurs and until the individual earns remuneration in employment  
 38 equal to or exceeding the weekly benefit amount of the individual's

1 claim in each of eight (8) weeks. If the qualification amount has not  
2 been earned at the expiration of an individual's benefit period, the  
3 unearned amount shall be carried forward to an extended benefit period  
4 or to the benefit period of a subsequent claim.

5 (c) With respect to extended benefit periods established on and after  
6 July 5, 1981, the ineligibility shall continue for the week in which the  
7 failure occurs and until the individual earns remuneration in  
8 employment equal to or exceeding the weekly benefit amount of the  
9 individual's claim in each of four (4) weeks.

10 (d) If an individual failed to apply for or accept suitable work as  
11 outlined in this section, the maximum benefit amount of the  
12 individual's current claim, as initially determined, shall be reduced by  
13 twenty-five percent (25%). If twenty-five percent (25%) of the  
14 maximum benefit amount is not an even dollar amount, the amount of  
15 such reduction shall be raised to the next higher even dollar amount.  
16 The maximum benefit amount of the individual's current claim may not  
17 be reduced by more than twenty-five percent (25%) during any benefit  
18 period or extended benefit period.

19 (e) In determining whether or not any such work is suitable for an  
20 individual, the department shall consider:

- 21 (1) the degree of risk involved to such individual's health, safety,  
22 and morals;
- 23 (2) the individual's physical fitness and prior training and  
24 experience;
- 25 (3) the individual's length of unemployment and prospects for  
26 securing local work in the individual's customary occupation; and
- 27 (4) the distance of the available work from the individual's  
28 residence.

29 However, work under substantially the same terms and conditions  
30 under which the individual was employed by a base-period employer,  
31 which is within the individual's prior training and experience and  
32 physical capacity to perform, shall be considered to be suitable work  
33 unless the claimant has made a bona fide change in residence which  
34 makes such offered work unsuitable to the individual because of the  
35 distance involved.

36 (f) Notwithstanding any other provisions of this article, no work  
37 shall be considered suitable and benefits shall not be denied under this  
38 article to any otherwise eligible individual for refusing to accept new

1 work under any of the following conditions:

2 (1) If the position offered is vacant due directly to a strike,  
3 lockout, or other labor dispute.

4 (2) If the remuneration, hours, or other conditions of the work  
5 offered are substantially less favorable to the individual than  
6 those prevailing for similar work in the locality.

7 (3) If as a condition of being employed the individual would be  
8 required to join a company union or to resign from or refrain from  
9 joining a bona fide labor organization.

10 (4) If as a condition of being employed the individual would be  
11 required to discontinue training into which the individual had  
12 entered with the approval of the department.

13 (g) Notwithstanding subsection (e), with respect to extended benefit  
14 periods established on and after July 5, 1981, "suitable work" means  
15 any work which is within an individual's capabilities. However, if the  
16 individual furnishes evidence satisfactory to the department that the  
17 individual's prospects for obtaining work in the individual's customary  
18 occupation within a reasonably short period are good, the  
19 determination of whether any work is suitable work shall be made as  
20 provided in subsection (e).

21 (h) With respect to extended benefit periods established on and after  
22 July 5, 1981, no work shall be considered suitable and extended  
23 benefits shall not be denied under this article to any otherwise eligible  
24 individual for refusing to accept new work under any of the following  
25 conditions:

26 (1) If the gross average weekly remuneration payable to the  
27 individual for the position would not exceed the sum of:

28 (A) the individual's average weekly benefit amount for the  
29 individual's benefit year; plus

30 (B) the amount (if any) of supplemental unemployment  
31 compensation benefits (as defined in Section 501(c)(17)(D) of  
32 the Internal Revenue Code) payable to the individual for such  
33 week.

34 (2) If the position was not offered to the individual in writing or  
35 was not listed with the department of workforce development.

36 (3) If such failure would not result in a denial of compensation  
37 under the provisions of this article to the extent that such  
38 provisions are not inconsistent with the applicable federal law.

- 1 (4) If the position pays wages less than the higher of:  
 2 (A) the minimum wage provided by 29 U.S.C. 206(a)(1) (The  
 3 Fair Labor Standards Act of 1938), without regard to any  
 4 exemption; or  
 5 (B) the state minimum wage (IC 22-2-2).
- 6 (i) The department of workforce development shall refer individuals  
 7 eligible for extended benefits to any suitable work (as defined in  
 8 subsection (g)) to which subsection (h) would not apply."  
 9 Page 28, line 38, strike "waiting period or".  
 10 Page 29, line 34, strike "waiting period or".  
 11 Page 30, after line 34, begin a new paragraph and insert:  
 12 "SECTION 25. IC 22-4-15-4, AS AMENDED BY P.L.290-2001,  
 13 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2002]: Sec. 4. (a) An individual ~~shall be~~ **is** ineligible for  
 15 ~~waiting period or~~ benefit rights for any week with respect to which the  
 16 individual receives, is receiving, or has received payments equal to or  
 17 exceeding ~~his~~ **the individual's** weekly benefit amount in the form of:  
 18 (1) deductible income as defined and applied in IC 22-4-5-1 and  
 19 IC 22-4-5-2; or  
 20 (2) any pension, retirement or annuity payments, under any plan  
 21 of an employer whereby the employer contributes a portion or all  
 22 of the money. This disqualification shall apply only if some or all  
 23 of the benefits otherwise payable are chargeable to the experience  
 24 or reimbursable account of ~~such~~ **the** employer, or would have  
 25 been chargeable except for the application of this chapter. For ~~the~~  
 26 purposes of this subdivision, ~~(2)~~; federal old age, survivors, and  
 27 disability insurance benefits are not considered payments under  
 28 a plan of an employer whereby the employer maintains the plan  
 29 or contributes a portion or all of the money to the extent required  
 30 by federal law.
- 31 (b) If the payments described in subsection (a) are less than ~~his~~ **the**  
 32 **individual's** weekly benefit amount an otherwise eligible individual  
 33 ~~shall is not be~~ ineligible and shall be entitled to receive for such week  
 34 benefits reduced by the amount of such payments.
- 35 (c) This section does not preclude an individual from delaying a  
 36 claim to pension, retirement, or annuity payments until the individual  
 37 has received the benefits to which the individual would otherwise be  
 38 eligible under this chapter. Weekly benefits received before the date

1 the individual elects to retire shall not be reduced by any pension,  
 2 retirement, or annuity payments received on or after the date the  
 3 individual elects to retire.

4 SECTION 26. IC 22-4-15-5 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 5. Except as provided  
 6 in IC ~~1971~~, 22-4-22, an individual ~~shall be~~ **is** ineligible for ~~waiting~~  
 7 ~~period~~ or benefit rights for any week with respect to which or a part of  
 8 which ~~he~~ **the individual** receives, is receiving, has received or is  
 9 seeking unemployment benefits under an unemployment compensation  
 10 law of another state or of the United States. ~~Provided, that~~ **However,**  
 11 this disqualification shall not apply if the appropriate agency of such  
 12 other state or of the United States finally determines that ~~he~~ **the**  
 13 **individual** is not entitled to such employment benefits, including  
 14 benefits to federal civilian employees and ex-servicemen pursuant to  
 15 5 U.S.C. Chapter 85.

16 SECTION 27. IC 22-4-16-1 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. Notwithstanding any  
 18 other provisions of this article, if an individual knowingly fails to  
 19 disclose amounts earned during any week in ~~his waiting period;~~ **the**  
 20 **individual's** benefit period or extended benefit period with respect to  
 21 which benefit rights or extended benefit rights are claimed, or  
 22 knowingly fails to disclose or has falsified as to any fact ~~which that~~  
 23 would have disqualified ~~him~~ **the individual** or rendered ~~him~~ **the**  
 24 **individual** ineligible for benefits or extended benefits or would have  
 25 reduced ~~his~~ **the individual's** benefit rights or extended benefit rights  
 26 during such a week, all of ~~his~~ **the individual's** wage credits established  
 27 prior to the week of the falsification or failure to disclose shall be  
 28 cancelled, and any benefits or extended benefits ~~which that~~ might  
 29 otherwise have become payable to ~~him~~ **the individual** and any benefit  
 30 rights or extended benefit rights based upon those wage credits shall be  
 31 forfeited.

32 SECTION 28. IC 22-4-17-2, AS AMENDED BY P.L.290-2001,  
 33 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2002]: Sec. 2. (a) When an individual files an initial claim, the  
 35 department shall promptly make a determination of ~~his~~ **the**  
 36 **individual's** status as an insured worker in a form prescribed by the  
 37 board. A written notice of the determination of insured status shall be  
 38 furnished ~~him~~ **to the individual** promptly. Each such determination

1 shall be based on and include a written statement showing the amount  
2 of wages paid to the individual for insured work by each employer  
3 during the individual's base period and shall include a finding as to  
4 whether such wages meet the requirements for the individual to be an  
5 insured worker, and, if so, the week ending date of the first week of the  
6 individual's benefit period, the individual's weekly benefit amount, and  
7 the maximum amount of benefits that may be paid to the individual for  
8 weeks of unemployment in the individual's benefit period. For the  
9 individual who is not insured, the notice shall include the reason for the  
10 determination. Unless the individual, within twenty (20) days after such  
11 determination was mailed to the individual's last known address, or  
12 otherwise delivered to the individual, asks a hearing thereon before an  
13 administrative law judge, such determination shall be final and benefits  
14 shall be paid or denied in accordance therewith.

15 (b) The department shall promptly furnish each employer in the base  
16 period whose experience or reimbursable account is potentially  
17 chargeable with benefits to be paid to such individual with a notice in  
18 writing of the employer's benefit liability. Such notice shall contain the  
19 date, the name and social security account number of the individual,  
20 the ending date of the individual's base period, and the week ending  
21 date of the first week of the individual's benefit period. Such notice  
22 shall further contain information as to the proportion of benefits  
23 chargeable to the employer's experience or reimbursable account in  
24 ratio to the earnings of such individual from such employer. Unless the  
25 employer, within twenty (20) days after such notice of benefit liability  
26 was mailed to the employer's last known address, or otherwise  
27 delivered to the employer, asks a hearing thereon before an  
28 administrative law judge, such determination shall be final and benefits  
29 paid shall be charged in accordance therewith.

30 (c) An employing unit, including an employer, having knowledge  
31 of any facts which may affect an individual's eligibility or right to  
32 waiting period credits or benefits, shall notify the department of such  
33 facts within twenty (20) days after the mailing of notice that a former  
34 employee has filed an initial or additional claim for benefits on a form  
35 prescribed by the board.

36 (d) In addition to the foregoing determination of insured status by  
37 the department, the deputy shall, throughout the benefit period,  
38 determine the claimant's eligibility with respect to each week for which

1 the claimant claims ~~waiting period credit or~~ benefit rights, the validity  
2 of the claimant's claim therefor, and the cause for which the claimant  
3 left the claimant's work, or may refer such claim to an administrative  
4 law judge who shall make the initial determination with respect thereto  
5 in accordance with the procedure in IC 22-4-17-3.

6 (e) In cases where the claimant's benefit eligibility or  
7 disqualification is disputed, the department shall promptly notify the  
8 claimant and the employer or employers directly involved or connected  
9 with the issue raised as to the validity of such claim, the eligibility of  
10 the claimant for ~~waiting period credit or~~ benefits, or the imposition of  
11 a disqualification period or penalty, or the denial thereof, and of the  
12 cause for which the claimant left the claimant's work, of such  
13 determination and the reasons thereof. Except as otherwise hereinafter  
14 provided in this subsection regarding parties located in Alaska, Hawaii,  
15 and Puerto Rico, unless the claimant or such employer, within twenty  
16 (20) days after such notification was mailed to the claimant's or the  
17 employer's last known address, or otherwise delivered to the claimant  
18 or the employer, asks a hearing before an administrative law judge  
19 thereon, such decision shall be final and benefits shall be paid or  
20 denied in accordance therewith. With respect to notice of disputed  
21 administrative determination or decision mailed or otherwise delivered  
22 to the claimant or employer either of whom is located in Alaska,  
23 Hawaii, or Puerto Rico, unless such claimant or employer, within  
24 twenty-five (25) days after such notification was mailed to the  
25 claimant's or employer's last known address or otherwise delivered to  
26 the claimant or employer, asks a hearing before an administrative law  
27 judge thereon, such decision shall be final and benefits shall be paid or  
28 denied in accordance therewith. If such hearing is desired, the request  
29 therefor shall be filed with the commissioner in writing within the  
30 prescribed periods as above set forth in this subsection and shall be in  
31 such form as the board may prescribe. In the event a hearing is  
32 requested by an employer or the department after it has been  
33 administratively determined that benefits should be allowed to a  
34 claimant, entitled benefits shall continue to be paid to said claimant  
35 unless said administrative determination has been reversed by a due  
36 process hearing. Benefits with respect to any week not in dispute shall  
37 be paid promptly regardless of any appeal.

38 (f) ~~No~~ A person may **not** participate on behalf of the department in

1 any case in which the person is an interested party.

2 (g) Solely on the ground of obvious administrative error appearing  
 3 on the face of an original determination, and within the benefit year of  
 4 the affected claims, the commissioner, or a representative authorized  
 5 by the commissioner to act in the commissioner's behalf, may  
 6 reconsider and direct the deputy to revise the original determination so  
 7 as to correct the obvious error appearing therein. Time for filing an  
 8 appeal and requesting a hearing before an administrative law judge  
 9 regarding the determinations handed down pursuant to this subsection  
 10 shall begin on the date following the date of revision of the original  
 11 determination and shall be filed with the commissioner in writing  
 12 within the prescribed periods as above set forth in subsection (c).

13 (h) Notice to the employer and the claimant that the determination  
 14 of the department is final if a hearing is not requested shall be  
 15 prominently displayed on the notice of the determination which is sent  
 16 to the employer and the claimant.

17 SECTION 28. IC 22-4-43 IS ADDED TO THE INDIANA CODE  
 18 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2002]:

20 **Chapter 43. Work Sharing**

21 **Sec. 1. As used in this chapter:**

22 (1) "Affected employee" means an individual who has been  
 23 continuously on the payroll of an affected unit for at least  
 24 three (3) months before the employing unit submits a work  
 25 sharing plan.

26 (2) "Affected unit" means a specific plant, department, shift,  
 27 or other definable unit of an employing unit:

28 (A) that has at least two (2) employees; and

29 (B) to which an approved work sharing plan applies.

30 (3) "Approved work sharing plan" means a plan that satisfies  
 31 the purpose set forth in section 2 of this chapter and has the  
 32 approval of the commissioner.

33 (4) "Commissioner" means the commissioner of workforce  
 34 development appointed under IC 22-4.1-3-1.

35 (5) "Employee association" means:

36 (A) an association that is a party to a collective bargaining  
 37 agreement under which it may negotiate a work sharing  
 38 plan; or



1           **(B) an association authorized by all of its members to**  
2           **become a party to a work sharing plan.**

3           **(6) "Normal weekly work hours" means the lesser of:**

4           **(A) the number of hours in a week that an employee**  
5           **customarily works for the regular employing unit; or**

6           **(B) forty (40) hours.**

7           **(7) "Work sharing plan" means a plan of an employing unit**  
8           **or employer association under which:**

9           **(A) normal weekly work hours of affected employees are**  
10           **reduced; and**

11           **(B) affected employees share the work that remains after**  
12           **the reduction.**

13           **(8) "Work sharing benefit" means benefits payable to an**  
14           **affected employee for work performed under an approved**  
15           **work sharing plan, including benefits payable to a federal**  
16           **civilian employee or former member of the armed forces**  
17           **under 5 U.S.C. 8500 et seq., but does not include benefits that**  
18           **are otherwise payable under this article.**

19           **(9) "Work sharing employer" means an employing unit or**  
20           **employer association for which a work sharing plan has been**  
21           **approved.**

22           **Sec. 2. The work sharing unemployment insurance program**  
23           **seeks to:**

24           **(1) preserve the jobs of employees and the work force of an**  
25           **employer during lowered economic activity by reduction in**  
26           **work hours or workdays rather than by a layoff of some**  
27           **employees while other employees continue their normal**  
28           **weekly work hours or workdays; and**

29           **(2) ameliorate the adverse effect of reduction in business**  
30           **activity by providing benefits for the part of the normal**  
31           **weekly work hours or workdays in which an employee does**  
32           **not work.**

33           **Sec. 3. An employing unit or employee association that wishes**  
34           **to participate in the work sharing unemployment insurance**  
35           **program shall submit to the commissioner a written work sharing**  
36           **plan that the employing unit or representative of the employee**  
37           **association has signed.**

38           **Sec. 4. (a) Within fifteen (15) days after receipt of a work**

1 sharing plan, the commissioner shall give written approval or  
2 disapproval of the plan to the employing unit or employee  
3 association.

4 (b) The decision of the commissioner to disapprove a work  
5 sharing plan is final and may not be appealed.

6 (c) An employing unit or employee association may submit a  
7 new work sharing plan not less than fifteen (15) days after  
8 disapproval of a work sharing plan.

9 **Sec. 5. The commissioner shall approve a work sharing plan  
10 that meets the following requirements:**

11 (1) The work sharing plan must apply to:

12 (A) at least ten percent (10%) of the employees in an  
13 affected unit; or

14 (B) at least twenty (20) employees in an affected unit in  
15 which the work sharing plan applies equally to all affected  
16 employees.

17 (2) The normal weekly work hours of affected employees in  
18 the affected unit shall be reduced by at least ten percent  
19 (10%) but the reduction may not exceed fifty percent (50%)  
20 unless waived by the commissioner.

21 **Sec. 6. A work sharing plan must:**

22 (1) identify the affected unit;

23 (2) identify each employee in the affected unit by:

24 (A) name;

25 (B) Social Security number; and

26 (C) any other information that the commissioner requires;

27 (3) specify an expiration date that is not more than six (6)  
28 months after the effective date of the work sharing plan;

29 (4) specify the effect that the work sharing plan will have on  
30 the fringe benefits of each employee in the affected unit  
31 including:

32 (A) health insurance for hospital, medical, dental, and  
33 similar services;

34 (B) retirement benefits under benefit pension plans as  
35 defined in the federal Employee Retirement Security Act  
36 (29 U.S.C. 1001 et seq.);

37 (C) holiday and vacation pay;

38 (D) sick leave; and

- 1           **(E) similar advantages;**  
 2           **(5) certify that:**  
 3           **(A) each affected employee has been continuously on the**  
 4           **payroll of the employing unit for three (3) months**  
 5           **immediately before the date on which the employing unit**  
 6           **or employer association submits the work sharing plan;**  
 7           **and**  
 8           **(B) the total reduction in normal weekly work hours is in**  
 9           **place of layoffs that would have:**  
 10           **(i) affected at least the number of employees specified in**  
 11           **section 5(1) of this chapter; and**  
 12           **(ii) would have resulted in an equivalent reduction in**  
 13           **work hours; and**  
 14           **(6) contain the written approval of:**  
 15           **(A) the collective bargaining agent for each collective**  
 16           **bargaining agreement that covers any affected employee**  
 17           **in the affected unit; or**  
 18           **(B) if there is no agent, a representative of the employees**  
 19           **or employee association in the affected unit.**  
 20           **Sec. 7. If a work sharing plan serves the work sharing employer**  
 21           **as a transitional step to permanent staff reduction, the work**  
 22           **sharing plan must contain a reemployment assistance plan for each**  
 23           **affected employee that the work sharing employer develops with**  
 24           **the commissioner.**  
 25           **Sec. 8. The work sharing employer shall agree to:**  
 26           **(1) submit reports that are necessary to administer the work**  
 27           **sharing plan; and**  
 28           **(2) allow the department to have access to all records**  
 29           **necessary to:**  
 30           **(A) verify the work sharing plan before its approval; and**  
 31           **(B) monitor and evaluate the application of the work**  
 32           **sharing plan after its approval.**  
 33           **Sec. 9. (a) An approved work sharing plan may be modified if**  
 34           **the modification meets the requirements for approval under**  
 35           **section 6 of this chapter and the commissioner approves the**  
 36           **modifications.**  
 37           **(b) An employing unit may add an employee to a work sharing**  
 38           **plan when the employee has been continuously on the payroll for**

1 three (3) months.

2 (c) An approved modification of a work sharing plan may not  
3 change its expiration date.

4 Sec. 10. (a) An affected employee is eligible under section 12 of  
5 this chapter to receive work sharing benefits for each week in  
6 which the commissioner determines that the affected employee is:

- 7 (1) able to work; and
- 8 (2) available for more hours of work or full-time work for  
9 the worksharing employer.

10 (b) An affected employee who otherwise is eligible may not be  
11 denied work sharing benefits for lack of effort to secure work as set  
12 forth in IC 22-4-14-3 or for failure to apply for available suitable  
13 work as set forth in IC 22-4-15-2 from a person other than the  
14 work sharing employer.

15 (c) An affected employee shall apply for benefits under  
16 IC 22-4-17-1.

17 (d) An affected employee who otherwise is eligible for benefits  
18 is:

- 19 (1) considered to be unemployed for the purpose of the work  
20 sharing unemployment insurance program; and
- 21 (2) not subject to the requirements of IC 22-4-14-2.

22 Sec. 11. The weekly work sharing unemployment compensation  
23 benefit due to an affected worker is determined in STEP FOUR of  
24 the following formula:

25 STEP ONE: Determine the weekly benefit that would be due  
26 to the affected employee under IC 22-4-12-4.

27 STEP TWO: Determine the percentage of reduction in the  
28 employee's normal work hours as to those under the approved  
29 work sharing plan.

30 STEP THREE: Multiply the number determined in STEP  
31 ONE by the quotient determined in STEP TWO.

32 STEP FOUR: If the product determined under STEP THREE  
33 is not a multiple of one dollar (\$1), round down to the nearest  
34 lower multiple of one dollar (\$1).

35 Sec. 12. (a) An affected employee is eligible to receive not more  
36 than twenty six (26) weeks of work sharing benefits during each  
37 benefit year.

38 (b) The total amount of benefits payable under IC 22-4-12-4 and

1 work sharing benefits payable under this chapter may not exceed  
2 the total payable for the benefit year under IC 22-4-12-4(a).

3 Sec. 13. The board shall establish rules under IC 4-22-2  
4 applicable to partially unemployed workers for determining their  
5 weekly benefit amount due under this chapter, subject to  
6 IC 22-4-12-5(b).

7 Sec. 14. During a week in which an affected employee who  
8 otherwise is eligible for benefits does not work for the work  
9 sharing employer:

10 (1) the individual shall be paid benefits in accordance with  
11 this chapter; and

12 (2) the week does not count as a week for which a work  
13 sharing benefit is received.

14 Sec. 15. During a week in which an employee earns wages under  
15 an approved work sharing plan and other wages, the work sharing  
16 benefit shall be reduced by the same percentage that the combined  
17 wages are of wages for normal weekly work hours if the other  
18 wages:

19 (1) exceed the wages earned under the approved work sharing  
20 plan; and

21 (2) do not exceed ninety percent (90%) of the wages that the  
22 individual earns for normal weekly work hours.

23 This computation applies regardless of whether the employee  
24 earned the other wage from the work sharing employer or other  
25 employer.

26 Sec. 16. While an affected employee applies for or receives work  
27 sharing benefits, the affected employee is not eligible for:

28 (1) extended benefits under IC 22-4-12-4; or

29 (2) supplemental federal unemployment compensation.

30 Sec. 17. The commissioner may revoke approval of an approved  
31 work sharing plan for good cause, including:

32 (1) conduct or an occurrence that tends to defeat the intent  
33 and effective operation of the approved work sharing plan;

34 (2) failure to comply with an assurance in the approved work  
35 sharing plan;

36 (3) unreasonable revision of a productivity standard of the  
37 affected unit; and

38 (4) violation of a criterion on which the commissioner based

1           **the approval of the work sharing plan.**

2           SECTION 29. IC 22-4-44 IS ADDED TO THE INDIANA CODE  
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2002]:

5           **Chapter 44. Expanded Unemployment Insurance Benefits While**  
6 **in State Training**

7           **Sec. 1. It is the intent of the general assembly that:**

8           (1) a training benefits program be established to provide  
9 unemployment insurance benefits to unemployed individuals  
10 who participate in training programs necessary for their  
11 reemployment;

12           (2) funding for the program be limited by a specified  
13 maximum amount each fiscal year;

14           (3) individuals unemployed as a result of structural changes  
15 in the economy and technological advances rendering their  
16 skills obsolete must receive the highest priority for  
17 participation in the program;

18           (4) individuals for whom suitable employment is available are  
19 not eligible for additional benefits while participating in  
20 training; and

21           (5) the program shall serve the following goals:

22           (A) Retraining should be available for those unemployed  
23 individuals whose skills are no longer in demand.

24           (B) To be eligible for retraining, an individual must have  
25 a long term attachment to the labor force.

26           (C) Training must enhance the individual's marketable  
27 skills and earning power.

28           (D) Retraining must be targeted to those industries or  
29 skills that are in high demand within the labor market.

30           **Sec. 2. The following definitions apply throughout this chapter:**

31           (1) "High demand" means demand for employment that  
32 exceeds the supply of qualified workers for occupations or  
33 skill sets in a labor market area.

34           (2) "State educational institution" has the meaning set forth  
35 in IC 20-12-0.5-1 and includes an equivalent educational  
36 institution in another state that also receives appropriations  
37 from the general assembly of the other state.

38           (3) "Sufficient tenure" means earning a plurality of wages in

1 a particular occupation or using a particular skill set during  
 2 the base period and at least two (2) of the four (4) twelve (12)  
 3 month periods immediately preceding the base period.

4 (4) "Training benefits" means additional benefits paid under  
 5 this chapter.

6 (5) "Training program" means:

7 (A) an education program determined to be necessary as  
 8 a prerequisite to vocational training after counseling at the  
 9 state educational institution in which the individual enrolls  
 10 under the individual's approved training program; or

11 (B) a vocational training program at a state educational  
 12 institution that:

13 (i) is targeted to training for a high demand occupation.  
 14 Beginning July 1, 2002, the assessment of high demand  
 15 occupations authorized for training under this chapter  
 16 must be substantially based on labor market and  
 17 employment information developed by the department  
 18 of employment and training services in cooperation with  
 19 the commissioner of labor under IC 22-1-1-8(2);

20 (ii) is likely to enhance the individual's marketable skills  
 21 and earning power; and

22 (iii) meets the criteria for performance developed by the  
 23 department of employment and training services for the  
 24 purpose of determining those training programs eligible  
 25 for funding under 29 U.S.C. 2911 et seq.

26 The term does not include any course of education primarily  
 27 intended to meet the requirements of a baccalaureate or  
 28 higher degree, unless the training meets specific requirements  
 29 for certification, licensing, or specific skills necessary for the  
 30 occupation.

31 **Sec. 3. Subject to availability of funds, training benefits are**  
 32 **available for an individual who meets all the following conditions:**

33 (1) The individual is eligible for or has exhausted entitlement  
 34 to unemployment compensation benefits.

35 (2) The individual is a dislocated worker who:

36 (A) has been terminated or received a notice of termination  
 37 from employment;

38 (B) is eligible for or has exhausted entitlement to

1           unemployment compensation benefits; and  
 2           (C) is unlikely to return to employment in the individual's  
 3           principal occupation or previous industry because of a  
 4           diminishing demand for the individual's skills in that  
 5           occupation or industry.

6           (3) Except as provided under subdivision (4), the individual  
 7           has demonstrated, through a work history, sufficient tenure  
 8           in an occupation or in work with a particular skill set. This  
 9           screening will take place during the assessment process.

10          (4) The individual is, after assessment of demand for the  
 11          individual's occupation or skills in the individual's labor  
 12          market, determined to need job related training to find  
 13          suitable employment in the individual's labor market.  
 14          Beginning July 1, 2002, the assessment of demand for the  
 15          individual's occupation or skill sets must be substantially  
 16          based on declining occupation or skill sets identified in local  
 17          labor market areas by the department of employment and  
 18          training services.

19          (5) The individual develops an individual training program  
 20          that is submitted to the commissioner for approval within  
 21          sixty (60) days after the individual is notified by the  
 22          department of the requirements of this section.

23          (6) The individual enters the approved training program  
 24          within ninety (90) days after the date of the notification,  
 25          unless the department determines that the training is not  
 26          available during the ninety (90) day period, in which case the  
 27          individual enters training as soon as it is available.

28          (7) The individual is enrolled in training approved under this  
 29          chapter on a full-time basis as determined by the state  
 30          educational institution and is making satisfactory progress in  
 31          the training as certified by the state educational institution.

32          **Sec. 4. An individual is not eligible for training benefits under**  
 33          **this chapter if the individual:**

34               (1) is a standby claimant who expects recall to his or her  
 35               regular employer;

36               (2) has a definite recall date that is within six (6) months after  
 37               the date the individual has been laid off; or

38               (3) is unemployed due to regular seasonal employment as



1           **defined in IC 22-4-8-4(a).**

2           **Sec. 5. Benefits shall be paid as follows:**

3           **(1) The total training benefit amount shall be fifty-two (52)**  
4           **times the individual's weekly benefit amount, reduced by the**  
5           **total amount of regular benefits and extended benefits paid or**  
6           **considered paid with respect to the benefit year.**

7           **(2) The weekly benefit amount shall be the same as the**  
8           **regular weekly amount payable during the applicable benefit**  
9           **year and shall be paid under the same terms and conditions as**  
10           **regular benefits. The training benefits shall be paid before any**  
11           **extended benefits but not before any similar federally funded**  
12           **program.**

13           **(3) Training benefits are not payable for weeks more than two**  
14           **(2) years beyond the end of the benefit year of the regular**  
15           **claim.**

16           **Sec. 6. The provisions of IC 22-4-2-34(i) relating to exhaustees**  
17           **and regular benefits do not apply to an individual otherwise**  
18           **eligible for training benefits under this chapter when the**  
19           **individual's benefit year ends before the training benefits are**  
20           **exhausted and the individual is eligible for a new benefit year. The**  
21           **individual will have the option of remaining on the original claim**  
22           **or filing a new claim.**

23           **Sec. 7. An individual who receives training benefits under this**  
24           **chapter or under any previous additional benefits program for**  
25           **training is not eligible for training benefits under this chapter for**  
26           **five (5) years from the last receipt of training benefits under this**  
27           **chapter or under any previous additional benefits program for**  
28           **training.**

29           **Sec. 8. All base period employers are interested parties to the**  
30           **approval of training and the granting of training benefits.**

31           **Sec. 9. By July 1, 2002, the department of employment and**  
32           **training services in cooperation with the commissioner of labor**  
33           **under IC 22-1-1-8(2) must identify occupations and skill sets that**  
34           **are declining and occupations and skill sets that are in high**  
35           **demand. Thereafter, the department of employment and training**  
36           **services shall update this information annually or more frequently**  
37           **if needed.**

38           **Sec. 10. The department is authorized to pay training benefits**

1 under section 3 of this chapter but may not obligate expenditures  
 2 beyond the appropriation made by the general assembly or beyond  
 3 funds available to the department under IC 22-4-40-11. The  
 4 department shall develop a procedure to ensure that expenditures  
 5 do not exceed available funds and to prioritize access to funds  
 6 when again available.

7 **Sec. 11.** The department shall adopt rules under IC 4-22-2 to  
 8 implement this chapter.

9 SECTION 30. [EFFECTIVE JULY 1, 2002] (a) Notwithstanding  
 10 IC 22-4-43-13, as added by this act, the unemployment insurance  
 11 board shall carry out the duties imposed upon it under  
 12 IC 22-4-43-13, as added by this act, under interim written  
 13 guidelines approved by the commissioner of workforce  
 14 development.

15 (b) This SECTION expires on the earlier of the following:

16 (1) The date rules are adopted under IC 22-4-43-13, as added  
 17 by this act.

18 (2) December 31, 2003.

19 SECTION 31. [EFFECTIVE JULY 1, 2002] (a) Notwithstanding  
 20 IC 22-4-44-9, as added by this act, the department of workforce  
 21 development shall carry out the duties imposed upon it under  
 22 IC 22-4-44-9, as added by this act, under interim written guidelines  
 23 approved by the commissioner of workforce development.

24 (b) This SECTION expires on the earlier of the following:

25 (1) The date rules are adopted under IC 22-4-44-9, as added  
 26 by this act.

27 (2) December 31, 2003.

28 SECTION 32. [EFFECTIVE UPON PASSAGE] (a)  
 29 Notwithstanding IC 22-4-2-12, as amended by this act, the  
 30 department of workforce development shall carry out the duties  
 31 imposed upon it under IC 22-4-2-12 under interim written  
 32 guidelines approved by the commissioner of the department of  
 33 workforce development.

34 (b) This SECTION expires on the earlier of the following:

35 (1) The date rules are adopted under IC 22-4-2-12, as  
 36 amended by this act.

37 (2) December 31, 2003.

38 SECTION 33. An emergency is declared for this act."

- 1       Renumber all SECTIONS consecutively.  
          (Reference is to HB 1313 as introduced.)

**and when so amended that said bill do pass.**

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Representative Liggett