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SENATE FILE 2113  
BY HULTMAN, TAYLOR, and  
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Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the maximum workers' compensation benefits  
2 payable to workers injured on or after the effective date of  
3 this Act.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2113

1 Section 1. Section 85.31, subsection 1, paragraph d,  
2 unnumbered paragraph 2, Code 1985, is amended to read as  
3 follows:

4 The weekly benefit amount shall not exceed a weekly benefit  
5 amount, rounded to the nearest dollar, equal to ~~sixty-six-and~~  
6 ~~two-thirds~~ one hundred percent of the statewide average weekly  
7 wage ~~paid-employees~~ as determined by the Iowa department of  
8 job service under ~~the-provisions-of~~ section 96.3 and in effect  
9 at the time of the injury, ~~provided, that as of July 1, 1975;~~  
10 ~~July 1, 1977; July 1, 1979; and July 1, 1981, the maximum~~  
11 ~~weekly-benefit-amount-rounded-to-the-nearest-dollar-shall-be~~  
12 ~~increased-so-that-it-equals-one-hundred-percent, one-hundred~~  
13 ~~thirty-three-and-one-third-percent, one-hundred-sixty-six-and~~  
14 ~~two-thirds-percent-and-two-hundred-percent, respectively, of~~  
15 ~~the-statewide-average-weekly-wage-as-determined-above.~~  
16 However, the minimum weekly benefit amount shall be equal to  
17 the weekly benefit amount of a person whose gross weekly  
18 earnings are thirty-five percent of the statewide average  
19 weekly wage, or to the spendable weekly earnings of the  
20 employee, whichever are less. Such compensation ~~shall-be~~ is  
21 in addition to the benefits provided by sections 85.27 and  
22 85.28.

23 Sec. 2. Section 85.34, subsection 2, unnumbered paragraph  
24 1, Code 1985, is amended to read as follows:

25 Compensation for permanent partial disability ~~shall-begin~~  
26 begins at the termination of the healing period provided in  
27 subsection 1 ~~of-this-section~~. The compensation ~~shall-be~~ is in  
28 addition to the benefits provided by sections 85.27 and 85.28.  
29 The compensation shall be based upon the extent of the  
30 disability and upon the basis of eighty percent per week of  
31 the employee's average weekly spendable earnings, but not more  
32 than a weekly benefit amount, rounded to the nearest dollar,  
33 equal to ~~sixty-one-and-one-third~~ one hundred percent of the  
34 statewide average weekly wage ~~paid-employees~~ as determined by  
35 the Iowa department of job service under ~~the-provisions-of~~

1 section 96.3 and in effect at the time of the injury, provided  
2 that as of July 1, 1975; July 1, 1977; July 1, 1979; and July  
3 1, 1981, the maximum weekly benefit amount rounded to the  
4 nearest dollar shall be increased so that it equals ninety-two  
5 percent, one hundred twenty-two and two-thirds percent, one  
6 hundred fifty-three and one-third percent, and one hundred  
7 eighty-four percent, respectively, of the statewide average  
8 weekly wage as determined above. However, the minimum weekly  
9 benefit amount shall be equal to the weekly benefit amount of  
10 a person whose gross weekly earnings are thirty-five percent  
11 of the statewide average weekly wage, or to the spendable  
12 weekly earnings of the employee, whichever are less. However,  
13 if the employee is a minor or a full-time student under the  
14 age of twenty-five in an accredited educational institution  
15 the minimum weekly benefit amount shall be equal to the weekly  
16 benefit amount of a person whose gross weekly earnings are  
17 thirty-five percent of the statewide average weekly wage. For  
18 all cases of permanent partial disability compensation shall  
19 be paid as follows:

20 Sec. 3. Section 85.34, subsection 3, unnumbered paragraph  
21 1, Code 1985, is amended to read as follows:

22 Compensation for an injury causing permanent total  
23 disability shall be upon the basis of eighty percent per week  
24 of the employee's average weekly spendable earnings, but not  
25 more than a weekly benefit amount, rounded to the nearest  
26 dollar, equal to ~~sixty-six and two-thirds~~ one hundred percent  
27 of the statewide average weekly wage paid employees as  
28 determined by the director of the Iowa department of job  
29 service under ~~the provisions of~~ section 96.3 and in effect at  
30 the time of the injury, provided that as of July 1, 1975; July  
31 1, 1977; July 1, 1979; and July 1, 1981, the maximum weekly  
32 benefit amount rounded to the nearest dollar shall be  
33 increased so that it equals one hundred percent, one hundred  
34 thirty-three and one-third percent, one hundred sixty-six and  
35 two-thirds percent and two hundred percent, respectively, of

1 ~~the-statewide-average-weekly-wage-as-determined-above.~~  
2 However, the minimum weekly benefit amount is equal to the  
3 weekly benefit amount of a person whose gross weekly earnings  
4 are thirty-five percent of the statewide average weekly wage,  
5 or to the spendable weekly earnings of the employee, whichever  
6 are less. However, if the employee is a minor or a full-time  
7 student under the age of twenty-five in an accredited  
8 educational institution the minimum weekly benefit amount  
9 shall be equal to the weekly benefit amount of a person whose  
10 gross weekly earnings are thirty-five percent of the statewide  
11 average weekly wage. The weekly compensation is payable  
12 during the period of the employee's disability.

13 Sec. 4. Section 85.36, subsection 10, paragraph a, Code  
14 1985, is amended to read as follows:

15 a. In computing the compensation to be allowed a volunteer  
16 fire fighter or reserve peace officer, the earnings as a fire  
17 fighter or reserve peace officer shall be disregarded and the  
18 volunteer fire fighter or reserve peace officer shall be paid  
19 ~~an-amount-equal-to-the-compensation-the-volunteer-fire-fighter~~  
20 ~~or-reserve-peace-officer-would-be-paid-if-injured-in-the~~  
21 ~~normal-course-of-the-volunteer-fire-fighter's-or-reserve-peace~~  
22 ~~officer's-regular-employment-or~~ an amount equal to one hundred  
23 ~~and-forty~~ percent of the statewide average weekly wage  
24 ~~whichever-is-greater.~~

25 Sec. 5. Section 85.37, unnumbered paragraph 1, Code 1985,  
26 is amended to read as follows:

27 If an employee receives a personal injury causing temporary  
28 total disability, or causing a permanent partial disability  
29 for which compensation is payable during a healing period,  
30 compensation for the temporary total disability or for the  
31 healing period shall be upon the basis provided in this  
32 section. The weekly benefit amount payable to ~~any~~ an employee  
33 for any one week shall be upon the basis of eighty percent of  
34 the employee's weekly spendable earnings, but shall not exceed  
35 an amount, rounded to the nearest dollar, equal to ~~sixty-six~~

1 ~~and-two-thirds~~ one hundred percent of the statewide average  
2 weekly wage paid-employees as determined by the Iowa  
3 department of job service under ~~the-provisions-of~~ section 96.3  
4 and in effect at the time of the injury provided-that-as-of  
5 ~~July-17-1975; July-17-1977; July-17-1979; and July-17-1981;~~  
6 ~~the-maximum-weekly-benefit-amount-rounded-to-the-nearest~~  
7 ~~dollar-shall-be-increased-so-that-it-equals-one-hundred~~  
8 ~~percent; one-hundred-thirty-three-and-one-third-percent; one~~  
9 ~~hundred-sixty-six-and-two-thirds-percent; and two-hundred~~  
10 ~~percent; respectively; of-the-statewide-average-weekly-wage-as~~  
11 ~~determined-above.~~ Total weekly compensation for any an  
12 employee shall not exceed eighty percent per week of the  
13 employee's weekly spendable earnings. However, the minimum  
14 weekly benefit amount shall be equal to the weekly benefit  
15 amount of a person whose gross weekly earnings are thirty-five  
16 percent of the statewide average weekly wage, or to the  
17 spendable weekly earnings of the employee, whichever is are  
18 less.

19 Sec. 6. This Act applies to injuries occurring on or after  
20 the effective date of this Act.

21 EXPLANATION

22 This bill reduces the maximum workers' compensation  
23 benefits for death, permanent total disability, temporary  
24 total disability, and for a healing period from 200 percent to  
25 100 percent of the statewide average weekly wage, and for  
26 permanent partial disabilities from 184 percent to 100 percent  
27 of the statewide average weekly wage. The bill also sets the  
28 workers' compensation benefits for volunteer fire fighters and  
29 reserve peace officers at 100 percent of the statewide average  
30 weekly wage.

31 The bill applies to workers' compensation injuries  
32 occurring on or after the effective date of the bill.

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