

INTERIM STUDY PROPOSAL 2025-028

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S3/20/25

A Bill

SENATE BILL 285

By: Senator J. Payton

Filed with: Senate Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO MODIFY THE COMPENSATION RESTRICTIONS UNDER
THE WORKERS' COMPENSATION LAW THAT RESULTED FROM
INITIATED ACT 4 OF 1948; AND FOR OTHER PURPOSES.

Subtitle

TO MODIFY THE COMPENSATION RESTRICTIONS
UNDER THE WORKERS' COMPENSATION LAW THAT
RESULTED FROM INITIATED ACT 4 OF 1948.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 11-9-501(b), concerning the limits of
compensation payable to an injured employee for disability other than
permanent partial disability under the Workers' Compensation Law, is amended
to add an additional subdivision to read as follows:

(6)(A) For a disability or death which results from an injury
occurring on and after January 1, 2026 the maximum weekly benefit payable
shall be seventy percent (70%) of the average weekly wage of the injured
employee.

(B) The maximum annual salary total of weekly benefit
payments to an injured employee under subdivision (b)(6)(A) of this section
is one hundred thousand dollars (\$100,000).

SECTION 2. Arkansas Code § 11-9-501(d), concerning the limits of

1 compensation payable to an employee for permanent partial disability under
2 the Workers' Compensation Law, is amended to read as follows:

3 (d)(1)(A) The permanent partial disability rate for compensation
4 payable to an employee for permanent partial disability which results from an
5 injury occurring on or after July 1, 1986, shall not exceed sixty-six and
6 two-thirds percent (66 $\frac{2}{3}$ %) of the employee's average weekly wage, with a
7 twenty-dollar-per-week minimum, subject to a maximum of one hundred fifty-
8 four dollars (\$154). However, if the employee's total disability rate for
9 the injury would be two hundred five dollars and thirty-five cents (\$205.35)
10 per week or greater, then the maximum permanent partial disability rate shall
11 be seventy-five percent (75%) of the employee's total disability rate.

12 (B) The permanent partial disability rate for compensation
13 payable to an employee for permanent partial disability which results from an
14 injury occurring on or after January 1, 2026, shall not exceed seventy-five
15 percent (75%) of the amount calculated under subdivision (b)(6)(A) of this
16 section.

17 (2)(A) The permanent partial disability rate provided herein
18 shall also apply to scheduled permanent injuries except those resulting in
19 amputation or permanent total loss of use of a member.

20 (B) The permanent partial disability rate for amputation
21 or permanent total loss of use of a member shall be the same as the
22 employee's total disability rate as specified in subsection (b) of this
23 section, ~~subject to the maximum as set forth in subdivision (b)(4) of this~~
24 ~~section.~~

25 ~~(3) The provisions of this subsection shall apply only to those~~
26 ~~injuries which occur on or after January 1, 1996.~~

27
28 /s/J. Payton
29
30

31 Referred requested by the Arkansas Senate

32 Prepared by: ANS/AMS
33
34