

1 HOUSE BILL NO. 198

2 INTRODUCED BY D. HARVEY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO WORKERS'
 5 COMPENSATION FOR BURIAL EXPENSES; INCREASING WORKERS' COMPENSATION BENEFITS PAID
 6 FOR BURIAL EXPENSES; ~~PROVIDING FOR ADJUSTMENT BY THE DEPARTMENT EVERY 5 YEARS;~~
 7 ~~PROVIDING RULEMAKING AUTHORITY FOR THE DEPARTMENT TO ADJUST THE BENEFIT; AND~~
 8 AMENDING SECTION 39-71-725, MCA."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 39-71-725, MCA, is amended to read:13 **"39-71-725. Payment of burial expense** ~~—RULEMAKING. (1) There~~ Subject to subsection (2), there

14 THERE must be paid, in case of the death of an employee whose death is the result of an accidental injury
 15 arising out of the employment and happening in the course of the employment, the reasonable burial expenses
 16 of the employee, not exceeding ~~\$4,000~~ \$10,000. The payment is not a part of the compensation that might be
 17 paid but is a benefit in addition to and separate from compensation.

18 ~~(2) Every 5 years, the department shall through rule adjust the burial expense limit provided in~~
 19 ~~subsection (1) based on inflation as measured by the consumer price index, U.S. city average, commonly~~
 20 ~~known as the cost of living as published by the bureau of labor statistics of the United States department of~~
 21 ~~labor. The department shall make rules relating to the adjustment and calculation of the adjusted benefit."~~

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