

---

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 467 Original

2022 Regular Session

Frieman

**Abstract:** Provides relative to the allocation of payments to dependents of a decedent for workers' compensation claims.

Present law provides that the payment to dependents shall be computed and divided equally among them on the following basis.

- (1) If the decedent is survived by a spouse, the dependent is entitled to 32.5% of wages.
- (2) If the decedent is survived by a spouse and one child, the dependents are entitled to 46.25% of wages.
- (3) If the decedent is survived by a spouse and two or more children, the dependents are entitled to 65% of wages.
- (4) If the decedent is survived by one child, the dependent is entitled to 32.5% of wages.
- (5) If the decedent is survived by two children, the dependents are entitled to 46.25% of wages.
- (6) If the decedent is survived by three or more children, the dependents are entitled to 65% of wages.
- (7) If the decedent does not have a living spouse or child, then the decedent's mother or father is entitled to 32.5% of the decedent's wages. If both of the decedent's parents are alive, then they are entitled to 65% of the decedent's wages.
- (8) If the decedent does not have a living spouse, child, or parent, then the decedent's brother or sister is entitled to 32.5% of the decedent's wages, plus an additional 11% of wages for each additional brother or sister. If the decedent leaves behind other dependents, one dependent is entitled to 32.5% of the decedent wages, plus an additional 11% of wages for each additional dependent, subject to a maximum of 65% of wages for all, regardless of the number of dependents.

Proposed law eliminates the payment for other dependents of the decedent that are not the decedent's spouse, child, parents, or siblings. Proposed law otherwise retains present law.

(Amends R.S. 23:1232(8))