

# SENATE BILL No. 421

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-3-2-17; IC 22-3-7-29.

**Synopsis:** Worker's compensation claims. Provides that claims for compensation under a worker's compensation or occupational diseases compensation law of another state are not assignable and are exempt from the claims of creditors if the claimant is a resident of Indiana.

**Effective:** July 1, 1998.

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January 13, 1998, read first time and referred to Committee on Pensions and Labor.

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Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

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## SENATE BILL No. 421

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-3-2-17, AS AMENDED BY P.L.1-1997,  
2 SECTION 106, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 1998]: Sec. 17. (a) Except as provided in  
4 subsection (b), no claims for compensation under:

5 (1) IC 22-3-2 through IC 22-3-6; or

6 (2) **the worker's compensation law of another state, if the**  
7 **claimant is a resident of Indiana;**

8 shall be assignable, and all compensation and claims therefor shall be  
9 exempt from all claims of creditors.

10 (b) Compensation awards under IC 22-3-3-8 are subject to child  
11 support income withholding under IC 31-16-15 and other remedies  
12 available for the enforcement of a child support order. The maximum  
13 amount that may be withheld under this subsection is one-half (1/2) of  
14 the compensation award.

15 SECTION 2. IC 22-3-7-29, AS AMENDED BY P.L.1-1997,  
16 SECTION 107, IS AMENDED TO READ AS FOLLOWS  
17 [EFFECTIVE JULY 1, 1998]: Sec. 29. (a) All rights of compensation



1 granted by this chapter shall have the same preference or priority for  
2 the whole thereof against the assets of the employer as is allowed by  
3 law for any unpaid wages for labor.

4 (b) Except as provided in subsection (c), no claims for  
5 compensation under:

6 (1) this chapter; or

7 (2) **the occupational diseases compensation law of another**  
8 **state, if the claimant is a resident of Indiana;**

9 shall be assignable, and all compensation and claims therefor shall be  
10 exempt from all claims of creditors.

11 (c) Compensation awards under section 16 of this chapter are  
12 subject to child support income withholding under IC 31-16-15 and  
13 other remedies available for the enforcement of a child support order.  
14 The maximum amount that may be withheld under this subsection is  
15 one-half (1/2) of the compensation award.

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