

SENATE BILL No. 265

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-2; IC 22-3; IC 22-4.

Synopsis: Various employment matters. Provides that, under certain circumstances, an employer who takes an adverse action against an employee commits an infraction. Specifies that, under certain circumstances, an adverse employment action is prima facie evidence of an unlawful retaliation. Provides that, under certain circumstances, an employer who knowingly or intentionally fails to pay an employee or former employee commits an infraction. Increases the amount of worker's compensation and worker's occupational diseases compensation benefits available for injuries and disablements: (1) in fiscal year 2027; (2) in fiscal year 2028; (3) in fiscal year 2029; (4) in fiscal year 2030; (5) in fiscal year 2031; and (6) in fiscal year 2032 and thereafter. Amends the definition of "wage credits". Specifies the rate for unemployment insurance benefits for initial claims filed by an individual who is totally unemployed for any week beginning after June 30, 2026. Specifies, for initial claims filed for any week beginning after June 30, 2026: (1) the maximum weekly benefit amount; and (2) an additional weekly benefit for eligible and qualified individuals with dependents.

Effective: July 1, 2026.

Pol Jr.

January 8, 2026, read first time and referred to Committee on Pensions and Labor.



Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

SENATE BILL No. 265

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

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

1 SECTION 1. IC 22-2-2-11 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) An employer or
3 his **the employer's** agent who:

4 (+) ~~discharges or otherwise discriminates in regard to tenure or~~
5 ~~condition of employment against any employee because the~~
6 ~~employee has:~~

7 (A) ~~instituted or participated in the institution of any action to~~
8 ~~recover wages under this chapter; or~~

9 (B) ~~demanding the payment of wages under this chapter;~~

10 (2) (1) ~~pays or agrees to pay any employee less than the minimum~~
11 ~~wage prescribed by section 4 of this chapter; or~~

12 (3) (2) ~~fails to keep records required by section 8 of this chapter;~~
13 commits a Class C infraction.

14 (b) An employer or the employer's agent who knowingly or
15 intentionally violates section 4 or 8 of this chapter commits a Class A
16 infraction.

17 (c) An employer or the employer's agent who violates section 4 of



1 this chapter, having a prior unrelated judgment for a violation of
2 section 4 of this chapter, commits a Class B misdemeanor.

3 (d) An employer or the employer's agent who violates section 8 of
4 this chapter, having a prior unrelated judgment for a violation of
5 section 8 of this chapter, commits a Class B misdemeanor.

6 **(e) An employer who takes an adverse employment action**
7 **against an employee because the employee has:**

8 **(1) instituted or participated in an action to recover wages**
9 **under this chapter; or**

10 **(2) demanded the payment of wages under this chapter;**
11 **commits a Class B infraction.**

12 **(f) Notwithstanding IC 34-28-5-4(b), a civil judgment for an**
13 **infraction committed under subsection (e) must be imposed as**
14 **follows:**

15 **(1) If the employer has no prior unrelated adjudication within**
16 **the previous five (5) years, a civil penalty of up to one**
17 **thousand dollars (\$1,000).**

18 **(2) If the employer has one (1) prior unrelated adjudication**
19 **within the previous five (5) years, a civil penalty of up to two**
20 **thousand five hundred dollars (\$2,500).**

21 **(3) If the employer has two (2) or more prior unrelated**
22 **adjudications within the previous five (5) years, a civil penalty**
23 **of up to five thousand dollars (\$5,000).**

24 **(g) An adverse employment action taken against an employee by**
25 **the employer within sixty (60) days of the employee:**

26 **(1) instituting or participating in an action to recover wages**
27 **under this chapter; or**

28 **(2) demanding the payment of wages under this chapter;**
29 **is prima facie evidence of an unlawful action under subsection (e).**

30 **SECTION 2. IC 22-2-5-4 IS ADDED TO THE INDIANA CODE**
31 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
32 **1, 2026]: Sec. 4. (a) As used in this section, "employer" means a**
33 **person, firm, corporation, limited liability company, association, or**
34 **other entity subject to this chapter.**

35 **(b) An employer who takes an adverse employment action**
36 **against an employee because the employee has:**

37 **(1) instituted or participated in an action to recover wages**
38 **under this chapter; or**

39 **(2) demanded the payment of wages under this chapter;**
40 **commits a Class B infraction.**

41 **(c) Notwithstanding IC 34-28-5-4(b), a civil judgment for an**
42 **infraction committed under subsection (b) must be imposed as**



1 follows:

2 (1) If the employer has no prior unrelated adjudication within
3 the previous five (5) years, a civil penalty of up to one
4 thousand dollars (\$1,000).

5 (2) If the employer has one (1) prior unrelated adjudication
6 within the previous five (5) years, a civil penalty of up to two
7 thousand five hundred dollars (\$2,500).

8 (3) If the employer has two (2) or more prior unrelated
9 adjudications within the previous five (5) years, a civil penalty
10 of up to five thousand dollars (\$5,000).

11 (d) An adverse employment action taken against an employee by
12 the employer within sixty (60) days of the employee:

13 (1) instituting or participating in an action to recover wages
14 under this chapter; or

15 (2) demanding the payment of wages under this chapter;
16 is prima facie evidence of an unlawful action under subsection (b).

17 (e) An employer who knowingly or intentionally violates section
18 1 of this chapter commits a Class B infraction.

19 (f) Notwithstanding IC 34-28-5-4(b), a civil judgment for an
20 infraction committed under subsection (e) must be imposed as
21 follows:

22 (1) If the employer has no prior unrelated adjudication within
23 the previous five (5) years, a civil penalty of up to one
24 thousand dollars (\$1,000).

25 (2) If the employer has one (1) prior unrelated adjudication
26 within the previous five (5) years, a civil penalty of up to two
27 thousand five hundred dollars (\$2,500).

28 (3) If the employer has two (2) or more prior unrelated
29 adjudications within the previous five (5) years, a civil penalty
30 of up to five thousand dollars (\$5,000).

31 SECTION 3. IC 22-2-9-9 IS ADDED TO THE INDIANA CODE
32 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
33 1, 2026]: Sec. 9. (a) An employer who takes an adverse employment
34 action against an employee because the employee has participated
35 in an action to recover wages under this chapter commits a Class
36 B infraction.

37 (b) Notwithstanding IC 34-28-5-4(b), a civil judgment for an
38 infraction committed under subsection (a) must be imposed as
39 follows:

40 (1) If the employer has no prior unrelated adjudication within
41 the previous five (5) years, a civil penalty of up to one
42 thousand dollars (\$1,000).



(2) If the employer has one (1) prior unrelated adjudication within the previous five (5) years, a civil penalty of up to two thousand five hundred dollars (\$2,500).

(3) If the employer has two (2) or more prior unrelated adjudications within the previous five (5) years, a civil penalty of up to five thousand dollars (\$5,000).

(c) An adverse employment action taken against an employee by the employer within sixty (60) days of the employee participating in an action to recover wages under this chapter is prima facie evidence of an unlawful action under subsection (a).

(d) An employer who knowingly or intentionally violates section 2 of this chapter commits a Class B infraction.

(e) Notwithstanding IC 34-28-5-4(b), a civil judgment for an infraction committed under subsection (d) must be imposed as follows:

(1) If the employer has no prior unrelated adjudication within the previous five (5) years, a civil penalty of up to one thousand dollars (\$1,000).

(2) If the employer has one (1) prior unrelated adjudication within the previous five (5) years, a civil penalty of up to two thousand five hundred dollars (\$2,500).

(3) If the employer has two (2) or more prior unrelated adjudications within the previous five (5) years, a civil penalty of up to five thousand dollars (\$5,000).

SECTION 4. IC 22-3-3-10, AS AMENDED BY P.L.160-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) With respect to injuries in the following schedule occurring on and after July 1, 1990, and before July 1, 1991, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars (\$200) average weekly wages, for the period stated for the injury.

(1) Amputation: For the loss by separation of the thumb, sixty (60) weeks, of the index finger forty (40) weeks, of the second finger thirty-five (35) weeks, of the third or ring finger thirty (30) weeks, of the fourth or little finger twenty (20) weeks, of the hand by separation below the elbow joint two hundred (200) weeks, or the arm above the elbow two hundred fifty (250) weeks, of the big toe sixty (60) weeks, of the second toe thirty (30) weeks, of the third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks, of the fifth or little toe ten (10) weeks, for loss occurring on and



after April 1, 1959, by separation of the foot below the knee joint, one hundred seventy-five (175) weeks and of the leg above the knee joint two hundred twenty-five (225) weeks. The loss of more than one (1) phalange of a thumb or toes shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the thumb or toe and compensation shall be paid for one-half (1/2) of the period for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) the period for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger, shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the period for the loss of the entire finger.

(2) For the loss by separation of both hands or both feet or the total sight of both eyes, or any two (2) such losses in the same accident, five hundred (500) weeks.

(3) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, one hundred seventy-five (175) weeks.

(4) For the permanent and complete loss of hearing in one (1) ear, seventy-five (75) weeks, and in both ears, two hundred (200) weeks.

(5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of both testicles, one hundred fifty (150) weeks.

(b) With respect to injuries in the schedule set forth in subsection (e) occurring on and after July 1, 1979, and before July 1, 1988, the employee shall receive, in addition to temporary total disability benefits not exceeding fifty-two (52) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages not to exceed one hundred twenty-five dollars (\$125) average weekly wages for the period stated for the injury.

(c) With respect to injuries in the schedule set forth in subsection (e) occurring on and after July 1, 1988, and before July 1, 1989, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars (\$166) average weekly wages, for the period stated for the injury.



(d) With respect to injuries in the schedule set forth in subsection (e) occurring on and after July 1, 1989, and before July 1, 1990, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars (\$183) average weekly wages, for the period stated for the injury.

(e) With respect to injuries in the following schedule occurring on and after July 1, 1990, and before July 1, 1991, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars (\$200) average weekly wages, for the period stated for the injury.

(1) Loss of use: The total permanent loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid for the same period as for the loss thereof by separation.

(2) Partial loss of use: For the permanent partial loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange, compensation shall be paid for the proportionate loss of the use of such arm, hand, thumb, finger, leg, foot, toe, or phalange.

(3) For injuries resulting in total permanent disability, five hundred (500) weeks.

(4) For any permanent reduction of the sight of an eye less than a total loss as specified in subsection (a)(3), compensation shall be paid for a period proportionate to the degree of such permanent reduction without correction or glasses. However, when such permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, but correction or glasses would result in restoration of vision, then in such event compensation shall be paid for fifty percent (50%) of such total loss of vision without glasses, plus an additional amount equal to the proportionate amount of such reduction with glasses, not to exceed an additional fifty percent (50%).

(5) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subsection (a)(4), compensation shall be paid for a period proportional to the degree of such permanent reduction.

(6) In all other cases of permanent partial impairment, compensation proportionate to the degree of such permanent



partial impairment, in the discretion of the worker's compensation board, not exceeding five hundred (500) weeks.

(7) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding two hundred (200) weeks, except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(f) With respect to injuries in the following schedule occurring on and after July 1, 1991, the employee shall receive in addition to temporary total disability benefits, not exceeding one hundred twenty-five (125) weeks on account of the injury, compensation in an amount determined under the following schedule to be paid weekly at a rate of sixty-six and two-thirds percent ($66\frac{2}{3}\%$) of the employee's average weekly wages during the fifty-two (52) weeks immediately preceding the week in which the injury occurred.

(1) Amputation: For the loss by separation of the thumb, twelve (12) degrees of permanent impairment; of the index finger, eight (8) degrees of permanent impairment; of the second finger, seven (7) degrees of permanent impairment; of the third or ring finger, six (6) degrees of permanent impairment; of the fourth or little finger, four (4) degrees of permanent impairment; of the hand by separation below the elbow joint, forty (40) degrees of permanent impairment; of the arm above the elbow, fifty (50) degrees of permanent impairment; of the big toe, twelve (12) degrees of permanent impairment; of the second toe, six (6) degrees of permanent impairment; of the third toe, four (4) degrees of permanent impairment; of the fourth toe, three (3) degrees of permanent impairment; of the fifth or little toe, two (2) degrees of permanent impairment; by separation of the foot below the knee joint, thirty-five (35) degrees of permanent impairment; and of the leg above the knee joint, forty-five (45) degrees of permanent impairment.

(2) Amputations: For the loss by separation of any of the body parts described in subdivision (1) on or after July 1, 1997, and for the loss by separation of any of the body parts described in subdivision (3), (5), or (7), on or after July 1, 1999, the dollar values per degree applying on the date of the injury as described in subsection (g) shall be multiplied by two (2). However, the doubling provision of this subdivision does not apply to a loss of use that is not a loss by separation.

(3) The loss of more than one (1) phalange of a thumb or toe shall



be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the degrees payable for the loss of the entire finger.

(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent impairment.

(5) For the permanent and complete loss of vision by enucleation, thirty-five (35) degrees of permanent impairment.

(6) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(7) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(8) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.

(9) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.

(10) For injuries resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.

(11) Visual impairments shall be based on the Functional Vision Score (FVS) assessing the visual acuity and visual field to evaluate any reduction in ability to perform vision-related



1 Activities of Daily Living (ADL). Unless such loss is otherwise
 2 specified in subdivision (5), visual impairments shall be paid as
 3 a whole person rating.

4 (12) For any permanent reduction of the hearing of one (1) or both
 5 ears, less than the total loss as specified in subsection (e)(5),
 6 compensation shall be paid in an amount proportionate to the
 7 degree of a permanent reduction.

8 (13) In all other cases of permanent partial impairment,
 9 compensation proportionate to the degree of a permanent partial
 10 impairment, in the discretion of the worker's compensation board,
 11 not exceeding one hundred (100) degrees of permanent
 12 impairment.

13 (14) In all cases of permanent disfigurement which may impair
 14 the future usefulness or opportunities of the employee,
 15 compensation, in the discretion of the worker's compensation
 16 board, not exceeding forty (40) degrees of permanent impairment
 17 except that no compensation shall be payable under this
 18 subdivision where compensation is payable elsewhere in this
 19 section.

20 (g) Compensation for permanent partial impairment shall be paid
 21 according to the degree of permanent impairment for the injury
 22 determined under subsection (f) and the following:

23 (1) With respect to injuries occurring on and after July 1, 2010,
 24 and before July 1, 2014, for each degree of permanent impairment
 25 from one (1) to ten (10), one thousand four hundred dollars
 26 (\$1,400) per degree; for each degree of permanent impairment
 27 from eleven (11) to thirty-five (35), one thousand six hundred
 28 dollars (\$1,600) per degree; for each degree of permanent
 29 impairment from thirty-six (36) to fifty (50), two thousand seven
 30 hundred dollars (\$2,700) per degree; for each degree of
 31 permanent impairment above fifty (50), three thousand five
 32 hundred dollars (\$3,500) per degree.

33 (2) With respect to injuries occurring on and after July 1, 2014,
 34 and before July 1, 2015, for each degree of permanent impairment
 35 from one (1) to ten (10), one thousand five hundred seventeen
 36 dollars (\$1,517) per degree; for each degree of permanent
 37 impairment from eleven (11) to thirty-five (35), one thousand
 38 seven hundred seventeen dollars (\$1,717) per degree; for each
 39 degree of permanent impairment from thirty-six (36) to fifty (50),
 40 two thousand eight hundred sixty-two dollars (\$2,862) per degree;
 41 for each degree of permanent impairment above fifty (50), three
 42 thousand six hundred eighty-seven dollars (\$3,687) per degree.



- 1 (3) With respect to injuries occurring on and after July 1, 2015,
2 and before July 1, 2016, for each degree of permanent impairment
3 from one (1) to ten (10), one thousand six hundred thirty-three
4 dollars (\$1,633) per degree; for each degree of permanent
5 impairment from eleven (11) to thirty-five (35), one thousand
6 eight hundred thirty-five dollars (\$1,835) per degree; for each
7 degree of permanent impairment from thirty-six (36) to fifty (50),
8 three thousand twenty-four dollars (\$3,024) per degree; for each
9 degree of permanent impairment above fifty (50), three thousand
10 eight hundred seventy-three dollars (\$3,873) per degree.
- 11 (4) With respect to injuries occurring on and after July 1, 2016,
12 and before July 1, 2023, for each degree of permanent impairment
13 from one (1) to ten (10), one thousand seven hundred fifty dollars
14 (\$1,750) per degree; for each degree of permanent impairment
15 from eleven (11) to thirty-five (35), one thousand nine hundred
16 fifty-two dollars (\$1,952) per degree; for each degree of
17 permanent impairment from thirty-six (36) to fifty (50), three
18 thousand one hundred eighty-six dollars (\$3,186) per degree; for
19 each degree of permanent impairment above fifty (50), four
20 thousand sixty dollars (\$4,060) per degree.
- 21 (5) With respect to injuries occurring on and after July 1, 2023,
22 and before July 1, 2024, for each degree of permanent impairment
23 from one (1) to ten (10), one thousand eight hundred three dollars
24 (\$1,803) per degree; for each degree of permanent impairment
25 from eleven (11) to thirty-five (35), two thousand eleven dollars
26 (\$2,011) per degree; for each degree of permanent impairment
27 from thirty-six (36) to fifty (50), three thousand two hundred
28 eighty-two dollars (\$3,282) per degree; for each degree of
29 permanent impairment above fifty (50), four thousand one
30 hundred eighty-two dollars (\$4,182) per degree.
- 31 (6) With respect to injuries occurring on and after July 1, 2024,
32 and before July 1, 2025, for each degree of permanent impairment
33 from one (1) to ten (10), one thousand eight hundred fifty-seven
34 dollars (\$1,857) per degree; for each degree of permanent
35 impairment from eleven (11) to thirty-five (35), two thousand
36 seventy-one dollars (\$2,071) per degree; for each degree of
37 permanent impairment from thirty-six (36) to fifty (50), three
38 thousand three hundred eighty dollars (\$3,380) per degree; for
39 each degree of permanent impairment above fifty (50), four
40 thousand three hundred seven dollars (\$4,307) per degree.
- 41 (7) With respect to injuries occurring on and after July 1, 2025,
42 and before July 1, 2026, for each degree of permanent impairment



from one (1) to ten (10), one thousand nine hundred thirteen dollars (\$1,913) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand one hundred thirty-three dollars (\$2,133) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand four hundred eighty-one dollars (\$3,481) per degree; for each degree of permanent impairment above fifty (50), four thousand four hundred thirty-six dollars (\$4,436) per degree.

(8) With respect to injuries occurring on and after July 1, 2026, **and before July 1, 2027**, for each degree of permanent impairment from one (1) to ten (10), ~~one thousand nine hundred seventy dollars (\$1,970)~~ **two thousand one hundred four dollars (\$2,104)** per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), ~~two thousand one hundred ninety-seven dollars (\$2,197)~~ **two thousand three hundred forty-six dollars (\$2,346)** per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), ~~three thousand five hundred eighty-five dollars (\$3,585)~~ **three thousand eight hundred twenty-nine dollars (\$3,829)** per degree; for each degree of permanent impairment above fifty (50), ~~four thousand five hundred sixty-nine dollars (\$4,569)~~ **four thousand eight hundred eighty dollars (\$4,880)** per degree.

(9) With respect to injuries occurring on and after July 1, 2027, and before July 1, 2028, for each degree of permanent impairment from one (1) to ten (10), **two thousand two hundred thirty dollars (\$2,230)** per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), **two thousand four hundred eighty-seven dollars (\$2,487)** per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), **four thousand fifty-nine dollars (\$4,059)** per degree; for each degree of permanent impairment above fifty (50), **five thousand one hundred seventy-three dollars (\$5,173)** per degree.

(10) With respect to injuries occurring on and after July 1, 2028, and before July 1, 2029, for each degree of permanent impairment from one (1) to ten (10), **two thousand three hundred nineteen dollars (\$2,319)** per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), **two thousand five hundred eighty-six dollars (\$2,586)** per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), **four thousand two hundred twenty-one dollars (\$4,221)** per degree; for each degree of



1 permanent impairment above fifty (50), five thousand three
2 hundred eighty dollars (\$5,380) per degree.

3 (11) With respect to injuries occurring on and after July 1,
4 2029, and before July 1, 2030, for each degree of permanent
5 impairment from one (1) to ten (10), two thousand four
6 hundred twelve dollars (\$2,412) per degree; for each degree
7 of permanent impairment from eleven (11) to thirty-five (35),
8 two thousand six hundred eighty-nine dollars (\$2,689) per
9 degree; for each degree of permanent impairment from
10 thirty-six (36) to fifty (50), four thousand three hundred
11 ninety dollars (\$4,390) per degree; for each degree of
12 permanent impairment above fifty (50), five thousand five
13 hundred ninety-five dollars (\$5,595) per degree.

14 (12) With respect to injuries occurring on and after July 1,
15 2030, and before July 1, 2031, for each degree of permanent
16 impairment from one (1) to ten (10), two thousand five
17 hundred eight dollars (\$2,508) per degree; for each degree of
18 permanent impairment from eleven (11) to thirty-five (35),
19 two thousand seven hundred ninety-seven dollars (\$2,797) per
20 degree; for each degree of permanent impairment from
21 thirty-six (36) to fifty (50), four thousand five hundred
22 sixty-six dollars (\$4,566) per degree; for each degree of
23 permanent impairment above fifty (50), five thousand eight
24 hundred nineteen dollars (\$5,819) per degree.

25 (13) With respect to injuries occurring on and after July 1,
26 2031, for each degree of permanent impairment from one (1)
27 to ten (10), two thousand six hundred eight dollars (\$2,608)
28 per degree; for each degree of permanent impairment from
29 eleven (11) to thirty-five (35), two thousand nine hundred nine
30 dollars (\$2,909) per degree; for each degree of permanent
31 impairment from thirty-six (36) to fifty (50), four thousand
32 seven hundred forty-nine dollars (\$4,749) per degree; for each
33 degree of permanent impairment above fifty (50), six
34 thousand fifty-two dollars (\$6,052) per degree.

35 (h) The average weekly wages used in the determination of
36 compensation for permanent partial impairment under subsections (f)
37 and (g) shall not exceed the following:

38 (1) With respect to injuries occurring on or after July 1, 2009, and
39 before July 1, 2014, nine hundred seventy-five dollars (\$975).

40 (2) With respect to injuries occurring on or after July 1, 2014, and
41 before July 1, 2015, one thousand forty dollars (\$1,040).

42 (3) With respect to injuries occurring on or after July 1, 2015, and



- 1 before July 1, 2016, one thousand one hundred five dollars
 2 (\$1,105).
 3 (4) With respect to injuries occurring on or after July 1, 2016, and
 4 before July 1, 2023, one thousand one hundred seventy dollars
 5 (\$1,170).
 6 (5) With respect to injuries occurring on or after July 1, 2023, and
 7 before July 1, 2024, one thousand two hundred five dollars
 8 (\$1,205).
 9 (6) With respect to injuries occurring on or after July 1, 2024, and
 10 before July 1, 2025, one thousand two hundred forty-one dollars
 11 (\$1,241).
 12 (7) With respect to injuries occurring on or after July 1, 2025, and
 13 before July 1, 2026, one thousand two hundred seventy-eight
 14 dollars (\$1,278).
 15 (8) With respect to injuries occurring on or after July 1, 2026, **and**
 16 **before July 1, 2027, one thousand three hundred sixteen dollars**
 17 **(~~\$1,316~~) one thousand four hundred six dollars (\$1,406).**
 18 (9) With respect to injuries occurring on or after July 1, 2027,
 19 and before July 1, 2028, one thousand four hundred ninety
 20 dollars (\$1,490).
 21 (10) With respect to injuries occurring on or after July 1,
 22 2028, and before July 1, 2029, one thousand five hundred fifty
 23 dollars (\$1,550).
 24 (11) With respect to injuries occurring on or after July 1,
 25 2029, and before July 1, 2030, one thousand six hundred
 26 twelve dollars (\$1,612).
 27 (12) With respect to injuries occurring on or after July 1,
 28 2030, and before July 1, 2031, one thousand six hundred
 29 seventy-six dollars (\$1,676).
 30 (13) With respect to injuries occurring on or after July 1,
 31 2031, one thousand seven hundred forty-three dollars
 32 (\$1,743).
 33 SECTION 5. IC 22-3-3-22, AS AMENDED BY P.L.160-2022,
 34 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2026]: Sec. 22. (a) In computing compensation for temporary
 36 total disability, temporary partial disability, and total permanent
 37 disability, the average weekly wages are considered to be:
 38 (1) with respect to injuries occurring on and after July 1, 2009,
 39 and before July 1, 2014:
 40 (A) not more than nine hundred seventy-five dollars (\$975);
 41 and
 42 (B) not less than seventy-five dollars (\$75);



- 1 (2) with respect to injuries occurring on and after July 1, 2014,
2 and before July 1, 2015:
3 (A) not more than one thousand forty dollars (\$1,040); and
4 (B) not less than seventy-five dollars (\$75);
5 (3) with respect to injuries occurring on and after July 1, 2015,
6 and before July 1, 2016:
7 (A) not more than one thousand one hundred five dollars
8 (\$1,105); and
9 (B) not less than seventy-five dollars (\$75);
10 (4) with respect to injuries occurring on and after July 1, 2016,
11 and before July 1, 2023:
12 (A) not more than one thousand one hundred seventy dollars
13 (\$1,170); and
14 (B) not less than seventy-five dollars (\$75);
15 (5) with respect to injuries occurring on and after July 1, 2023,
16 and before July 1, 2024:
17 (A) not more than one thousand two hundred five dollars
18 (\$1,205); and
19 (B) not less than seventy-five dollars (\$75);
20 (6) with respect to injuries occurring on and after July 1, 2024,
21 and before July 1, 2025:
22 (A) not more than one thousand two hundred forty-one dollars
23 (\$1,241); and
24 (B) not less than seventy-five dollars (\$75);
25 (7) with respect to injuries occurring on and after July 1, 2025,
26 and before July 1, 2026:
27 (A) not more than one thousand two hundred seventy-eight
28 dollars (\$1,278); and
29 (B) not less than seventy-five dollars (\$75); ~~and~~
30 (8) with respect to injuries occurring on and after July 1, 2026,
31 **and before July 1, 2027:**
32 (A) not more than ~~one thousand three hundred sixteen dollars~~
33 ~~(\$1,316);~~ **one thousand four hundred six dollars (\$1,406);**
34 and
35 (B) not less than seventy-five dollars (\$75);
36 **(9) with respect to injuries occurring on and after July 1,**
37 **2027, and before July 1, 2028:**
38 (A) **not more than one thousand four hundred ninety**
39 **dollars (\$1,490); and**
40 **(B) not less than seventy-five dollars (\$75);**
41 **(10) with respect to injuries occurring on and after July 1,**
42 **2028, and before July 1, 2029:**



- 1 **(A) not more than one thousand five hundred fifty dollars**
 2 **(\$1,550); and**
 3 **(B) not less than seventy-five dollars (\$75);**
 4 **(11) with respect to injuries occurring on and after July 1,**
 5 **2029, and before July 1, 2030:**
 6 **(A) not more than one thousand six hundred twelve dollars**
 7 **(\$1,612); and**
 8 **(B) not less than seventy-five dollars (\$75);**
 9 **(12) with respect to injuries occurring on and after July 1,**
 10 **2030, and before July 1, 2031:**
 11 **(A) not more than one thousand six hundred seventy-six**
 12 **dollars (\$1,676); and**
 13 **(B) not less than seventy-five dollars (\$75); and**
 14 **(13) with respect to injuries occurring on and after July 1,**
 15 **2031:**
 16 **(A) not more than one thousand seven hundred forty-three**
 17 **dollars (\$1,743); and**
 18 **(B) not less than seventy-five dollars (\$75).**
 19 However, the weekly compensation payable shall not exceed the
 20 average weekly wages of the employee at the time of the injury.
 21 (b) The maximum compensation, exclusive of medical benefits, that
 22 may be paid for an injury under any provision of this law or any
 23 combination of provisions may not exceed the following amounts in
 24 any case:
 25 (1) With respect to an injury occurring on and after July 1, 2009,
 26 and before July 1, 2014, three hundred twenty-five thousand
 27 dollars (\$325,000).
 28 (2) With respect to an injury occurring on and after July 1, 2014,
 29 and before July 1, 2015, three hundred forty-seven thousand
 30 dollars (\$347,000).
 31 (3) With respect to an injury occurring on and after July 1, 2015,
 32 and before July 1, 2016, three hundred sixty-eight thousand
 33 dollars (\$368,000).
 34 (4) With respect to an injury occurring on and after July 1, 2016,
 35 and before July 1, 2023, three hundred ninety thousand dollars
 36 (\$390,000).
 37 (5) With respect to an injury occurring on and after July 1, 2023,
 38 and before July 1, 2024, four hundred two thousand dollars
 39 (\$402,000).
 40 (6) With respect to an injury occurring on and after July 1, 2024,
 41 and before July 1, 2025, four hundred fourteen thousand dollars
 42 (\$414,000).



(7) With respect to an injury occurring on and after July 1, 2025, and before July 1, 2026, four hundred twenty-six thousand dollars (\$426,000).

(8) With respect to an injury occurring on and after July 1, 2026, **and before July 1, 2027, four hundred thirty-nine thousand dollars (\$439,000); four hundred sixty-eight thousand dollars (\$468,000).**

(9) With respect to an injury occurring on and after July 1, 2027, and before July 1, 2028, four hundred ninety-six thousand dollars (\$496,000).

(10) With respect to an injury occurring on and after July 1, 2028, and before July 1, 2029, five hundred sixteen thousand dollars (\$516,000).

(11) With respect to an injury occurring on and after July 1, 2029, and before July 1, 2030, five hundred thirty-seven thousand dollars (\$537,000).

(12) With respect to an injury occurring on and after July 1, 2030, and before July 1, 2031, five hundred fifty-eight thousand dollars (\$558,000).

(13) With respect to an injury occurring on and after July 1, 2031, five hundred eighty-one thousand dollars (\$581,000).

SECTION 6. IC 22-3-7-16, AS AMENDED BY P.L.160-2022, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) Compensation shall be allowed on account of disablement from occupational disease resulting in only temporary total disability to work or temporary partial disability to work beginning with the eighth day of such disability except for the medical benefits provided for in section 17 of this chapter. Compensation shall be allowed for the first seven (7) calendar days only as provided in this section. The first weekly installment of compensation for temporary disability is due fourteen (14) days after the disability begins. Not later than fourteen (14) days from the date that the first installment of compensation is due, the employer or the employer's insurance carrier shall file a report of payment of compensation with the worker's compensation board electronically and tender to the employee or to the employee's dependents, with all compensation due, a properly prepared compensation agreement in a form prescribed by the board. The presentation to the employee or to the employee's dependents of the check, draft, or electronic payment from the employer or the employer's insurance carrier for the proper amount, drawn upon a bank in which money is on deposit to pay the same on demand, shall be sufficient tender of the compensation.



(b) Whenever an employer or the employer's insurance carrier denies or is not able to determine liability to pay compensation or benefits, the employer or the employer's insurance carrier shall notify the worker's compensation board and the employee in writing on a form prescribed by the worker's compensation board not later than thirty (30) days after the employer's knowledge of the claimed disablement. If a determination of liability cannot be made within thirty (30) days, the worker's compensation board may approve an additional thirty (30) days upon a written request of the employer or the employer's insurance carrier that sets forth the reasons that the determination could not be made within thirty (30) days and states the facts or circumstances that are necessary to determine liability within the additional thirty (30) days. More than thirty (30) days of additional time may be approved by the worker's compensation board upon the filing of a petition by the employer or the employer's insurance carrier that sets forth:

- (1) the extraordinary circumstances that have precluded a determination of liability within the initial sixty (60) days;
- (2) the status of the investigation on the date the petition is filed;
- (3) the facts or circumstances that are necessary to make a determination; and
- (4) a timetable for the completion of the remaining investigation.

An employer who fails to comply with this section is subject to a civil penalty under IC 22-3-4-15.

(c) Once begun, temporary total disability benefits may not be terminated by the employer unless:

- (1) the employee has returned to work;
- (2) the employee has died;
- (3) the employee has refused to undergo a medical examination under section 20 of this chapter;
- (4) the employee has received five hundred (500) weeks of temporary total disability benefits or has been paid the maximum compensation allowable under section 19 of this chapter; or
- (5) the employee is unable or unavailable to work for reasons unrelated to the compensable disease.

In each instance, the employer must provide written notice to the injured worker on a form approved by the board. In all other cases the employer must notify the employee in writing of the employer's intent to terminate the payment of temporary total disability benefits, and of the availability of employment, if any, on a form approved by the board. In all instances, the employer must file an electronic notice of the termination with the board.

(d) If the employee disagrees with the termination or proposed



1 termination, the employee must give written notice of disagreement to
2 the board and the employer within seven (7) days after receipt of the
3 notice of intent to terminate benefits. If the board and employer do not
4 receive a notice of disagreement under this section, the employee's
5 temporary total disability benefits shall be terminated. Upon receipt of
6 the notice of disagreement, the board shall immediately contact the
7 parties, which may be by telephone or other means and attempt to
8 resolve the disagreement. If the board is unable to resolve the
9 disagreement within ten (10) days of receipt of the notice of
10 disagreement, the board shall immediately arrange for an evaluation of
11 the employee by an independent medical examiner. The independent
12 medical examiner shall be selected by mutual agreement of the parties
13 or, if the parties are unable to agree, appointed by the board under
14 IC 22-3-4-11. If the independent medical examiner determines that the
15 employee is no longer temporarily disabled or is still temporarily
16 disabled but can return to employment that the employer has made
17 available to the employee, or if the employee fails or refuses to appear
18 for examination by the independent medical examiner, temporary total
19 disability benefits may be terminated. If either party disagrees with the
20 opinion of the independent medical examiner, the party shall apply to
21 the board for a hearing under section 27 of this chapter.

22 (e) An employer is not required to continue the payment of
23 temporary total disability benefits for more than fourteen (14) days
24 after the employer's proposed termination date unless the independent
25 medical examiner determines that the employee is temporarily disabled
26 and unable to return to any employment that the employer has made
27 available to the employee.

28 (f) If it is determined that as a result of this section temporary total
29 disability benefits were overpaid, the overpayment shall be deducted
30 from any benefits due the employee under this section and, if there are
31 no benefits due the employee or the benefits due the employee do not
32 equal the amount of the overpayment, the employee shall be
33 responsible for paying any overpayment which cannot be deducted
34 from benefits due the employee.

35 (g) For disablements occurring on and after July 1, 1976, from
36 occupational disease resulting in temporary total disability for any work
37 there shall be paid to the disabled employee during the temporary total
38 disability weekly compensation equal to sixty-six and two-thirds
39 percent (66 2/3%) of the employee's average weekly wages, as defined
40 in section 19 of this chapter, for a period not to exceed five hundred
41 (500) weeks. Compensation shall be allowed for the first seven (7)
42 calendar days only if the disability continues for longer than twenty-one



1 (21) days.

2 (h) For disablements occurring on and after July 1, 1974, from
3 occupational disease resulting in temporary partial disability for work
4 there shall be paid to the disabled employee during such disability a
5 weekly compensation equal to sixty-six and two-thirds percent ($66\frac{2}{3}\%$) of the difference between the employee's average weekly wages,
6 as defined in section 19 of this chapter, and the weekly wages at which
7 the employee is actually employed after the disablement, for a period
8 not to exceed three hundred (300) weeks. Compensation shall be
9 allowed for the first seven (7) calendar days only if the disability
10 continues for longer than twenty-one (21) days. In case of partial
11 disability after the period of temporary total disability, the latter period
12 shall be included as a part of the maximum period allowed for partial
13 disability.
14

15 (i) With respect to disablements in the following schedule occurring
16 on and after July 1, 1991, the employee shall receive in addition to
17 temporary total disability benefits, not exceeding one hundred
18 twenty-five (125) weeks on account of the disablement, compensation
19 in an amount determined under the following schedule to be paid
20 weekly at a rate of sixty-six and two-thirds percent ($66\frac{2}{3}\%$) of the
21 employee's average weekly wages during the fifty-two (52) weeks
22 immediately preceding the week in which the disablement occurred:

23 (1) Amputation: For the loss by separation of the thumb, twelve
24 (12) degrees of permanent impairment; of the index finger, eight
25 (8) degrees of permanent impairment; of the second finger, seven
26 (7) degrees of permanent impairment; of the third or ring finger,
27 six (6) degrees of permanent impairment; of the fourth or little
28 finger, four (4) degrees of permanent impairment; of the hand by
29 separation below the elbow joint, forty (40) degrees of permanent
30 impairment; of the arm above the elbow, fifty (50) degrees of
31 permanent impairment; of the big toe, twelve (12) degrees of
32 permanent impairment; of the second toe, six (6) degrees of
33 permanent impairment; of the third toe, four (4) degrees of
34 permanent impairment; of the fourth toe, three (3) degrees of
35 permanent impairment; of the fifth or little toe, two (2) degrees of
36 permanent impairment; of separation of the foot below the knee
37 joint, thirty-five (35) degrees of permanent impairment; and of the
38 leg above the knee joint, forty-five (45) degrees of permanent
39 impairment.

40 (2) Amputations occurring on or after July 1, 1997: For the loss
41 by separation of any of the body parts described in subdivision (1)
42 on or after July 1, 1997, the dollar values per degree applying on



the date of the injury as described in subsection (j) shall be multiplied by two (2). However, the doubling provision of this subdivision does not apply to a loss of use that is not a loss by separation.

(3) The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the degrees payable for the loss of the entire finger.

(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent impairment.

(5) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, thirty-five (35) degrees of permanent impairment.

(6) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(7) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(8) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.

(9) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.



(10) For disablements resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.

(11) Visual impairments shall be based on the Functional Vision Score (FVS) assessing the visual acuity and visual field to evaluate any reduction in ability to perform vision-related Activities of Daily Living (ADL). Unless such loss is otherwise specified in subdivision (5), visual impairments shall be paid as a whole person rating.

(12) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subdivision (6), compensation shall be paid in an amount proportionate to the degree of a permanent reduction.

(13) In all other cases of permanent partial impairment, compensation proportionate to the degree of a permanent partial impairment, in the discretion of the worker's compensation board, not exceeding one hundred (100) degrees of permanent impairment.

(14) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding forty (40) degrees of permanent impairment except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(j) With respect to disablements occurring on and after July 1, 1991, compensation for permanent partial impairment shall be paid according to the degree of permanent impairment for the disablement determined under subsection (i) and the following:

(1) With respect to disablements occurring on and after July 1, 2010, and before July 1, 2014, for each degree of permanent impairment from one (1) to ten (10), one thousand four hundred dollars (\$1,400) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand six hundred dollars (\$1,600) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand seven hundred dollars (\$2,700) per degree; for each degree of permanent impairment above fifty (50), three thousand five hundred dollars (\$3,500) per degree.

(2) With respect to disablements occurring on and after July 1, 2014, and before July 1, 2015, for each degree of permanent impairment from one (1) to ten (10), one thousand five hundred



seventeen dollars (\$1,517) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand seven hundred seventeen dollars (\$1,717) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand eight hundred sixty-two dollars (\$2,862) per degree; for each degree of permanent impairment above fifty (50), three thousand six hundred eighty-seven dollars (\$3,687) per degree.

(3) With respect to disablements occurring on and after July 1, 2015, and before July 1, 2016, for each degree of permanent impairment from one (1) to ten (10), one thousand six hundred thirty-three dollars (\$1,633) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand eight hundred thirty-five dollars (\$1,835) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand twenty-four dollars (\$3,024) per degree; for each degree of permanent impairment above fifty (50), three thousand eight hundred seventy-three dollars (\$3,873) per degree.

(4) With respect to disablements occurring on and after July 1, 2016, and before July 1, 2023, for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred fifty dollars (\$1,750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred fifty-two dollars (\$1,952) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand one hundred eighty-six dollars (\$3,186) per degree; for each degree of permanent impairment above fifty (50), four thousand sixty dollars (\$4,060) per degree.

(5) With respect to disablements occurring on and after July 1, 2023, and before July 1, 2024, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred three dollars (\$1,803) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand eleven dollars (\$2,011) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand two hundred eighty-two dollars (\$3,282) per degree; for each degree of permanent impairment above fifty (50), four thousand one hundred eighty-two dollars (\$4,182) per degree.

(6) With respect to disablements occurring on and after July 1, 2024, and before July 1, 2025, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred fifty-seven dollars (\$1,857) per degree; for each degree of



permanent impairment from eleven (11) to thirty-five (35), two thousand seventy-one dollars (\$2,071) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred eighty dollars (\$3,380) per degree; for each degree of permanent impairment above fifty (50), four thousand three hundred seven dollars (\$4,307) per degree.

(7) With respect to disablements occurring on and after July 1, 2025, and before July 1, 2026, for each degree of permanent impairment from one (1) to ten (10), one thousand nine hundred thirteen dollars (\$1,913) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand one hundred thirty-three dollars (\$2,133) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand four hundred eighty-one dollars (\$3,481) per degree; for each degree of permanent impairment above fifty (50), four thousand four hundred thirty-six dollars (\$4,436) per degree.

(8) With respect to disablements occurring on and after July 1, 2026, **and before July 1, 2027**, for each degree of permanent impairment from one (1) to ten (10), ~~one thousand nine hundred seventy dollars (\$1,970)~~ **two thousand one hundred four dollars (\$2,104)** per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), ~~two thousand one hundred ninety-seven dollars (\$2,197)~~ **two thousand three hundred forty-six dollars (\$2,346)** per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), ~~three thousand five hundred eighty-five dollars (\$3,585)~~ **three thousand eight hundred twenty-nine dollars (\$3,829)** per degree; for each degree of permanent impairment above fifty (50), ~~four thousand five hundred sixty-nine dollars (\$4,569)~~ **four thousand eight hundred eighty dollars (\$4,880)** per degree.

(9) With respect to disablements occurring on and after July 1, 2027, and before July 1, 2028, for each degree of permanent impairment from one (1) to ten (10), **two thousand two hundred thirty dollars (\$2,230)** per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), **two thousand four hundred eighty-seven dollars (\$2,487)** per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), **four thousand fifty-nine dollars (\$4,059)** per degree; for each degree of permanent impairment above fifty (50), **five thousand one hundred seventy-three dollars (\$5,173)** per degree.

(10) With respect to disablements occurring on and after July



1, 2028, and before July 1, 2029, for each degree of permanent impairment from one (1) to ten (10), two thousand three hundred nineteen dollars (\$2,319) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand five hundred eighty-six dollars (\$2,586) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand two hundred twenty-one dollars (\$4,221) per degree; for each degree of permanent impairment above fifty (50), five thousand three hundred eighty dollars (\$5,380) per degree.

(11) With respect to disablements occurring on and after July 1, 2029, and before July 1, 2030, for each degree of permanent impairment from one (1) to ten (10), two thousand four hundred twelve dollars (\$2,412) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand six hundred eighty-nine dollars (\$2,689) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand three hundred ninety dollars (\$4,390) per degree; for each degree of permanent impairment above fifty (50), five thousand five hundred ninety-five dollars (\$5,595) per degree.

(12) With respect to disablements occurring on and after July 1, 2030, and before July 1, 2031, for each degree of permanent impairment from one (1) to ten (10), two thousand five hundred eight dollars (\$2,508) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand seven hundred ninety-seven dollars (\$2,797) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand five hundred sixty-six dollars (\$4,566) per degree; for each degree of permanent impairment above fifty (50), five thousand eight hundred nineteen dollars (\$5,819) per degree.

(13) With respect to disablements occurring on and after July 1, 2031, for each degree of permanent impairment from one (1) to ten (10), two thousand six hundred eight dollars (\$2,608) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand nine hundred nine dollars (\$2,909) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand seven hundred forty-nine dollars (\$4,749) per degree; for each degree of permanent impairment above fifty (50), six thousand fifty-two dollars (\$6,052) per degree.



(k) The average weekly wages used in the determination of compensation for permanent partial impairment under subsections (i) and (j) shall not exceed the following:

(1) With respect to disablements occurring on or after July 1, 2009, and before July 1, 2014, nine hundred seventy-five dollars (\$975).

(2) With respect to disablements occurring on or after July 1, 2014, and before July 1, 2015, one thousand forty dollars (\$1,040).

(3) With respect to disablements occurring on or after July 1, 2015, and before July 1, 2016, one thousand one hundred five dollars (\$1,105).

(4) With respect to disablements occurring on or after July 1, 2016, and before July 1, 2023, one thousand one hundred seventy dollars (\$1,170).

(5) With respect to disablements occurring on or after July 1, 2023, and before July 1, 2024, one thousand two hundred five dollars (\$1,205).

(6) With respect to disablements occurring on or after July 1, 2024, and before July 1, 2025, one thousand two hundred forty-one dollars (\$1,241).

(7) With respect to disablements occurring on or after July 1, 2025, and before July 1, 2026, one thousand two hundred seventy-eight dollars (\$1,278).

(8) With respect to disablements occurring on or after July 1, 2026, **and before July 1, 2027, one thousand three hundred sixteen dollars (\$1,316); one thousand four hundred six dollars (\$1,406).**

(9) With respect to disablements occurring on or after July 1, 2027, and before July 1, 2028, one thousand four hundred ninety dollars (\$1,490).

(10) With respect to disablements occurring on or after July 1, 2028, and before July 1, 2029, one thousand five hundred fifty dollars (\$1,550).

(11) With respect to disablements occurring on or after July 1, 2029, and before July 1, 2030, one thousand six hundred twelve dollars (\$1,612).

(12) With respect to disablements occurring on or after July 1, 2030, and before July 1, 2031, one thousand six hundred seventy-six dollars (\$1,676).

(13) With respect to disablements occurring on or after July 1, 2031, one thousand seven hundred forty-three dollars



1 **(§1,743).**

2 (l) If any employee, only partially disabled, refuses employment
3 suitable to the employee's capacity procured for the employee, the
4 employee shall not be entitled to any compensation at any time during
5 the continuance of such refusal unless, in the opinion of the worker's
6 compensation board, such refusal was justifiable. The employee must
7 be served with a notice setting forth the consequences of the refusal
8 under this subsection. The notice must be in a form prescribed by the
9 worker's compensation board.

10 (m) If an employee has sustained a permanent impairment or
11 disability from an accidental injury other than an occupational disease
12 in another employment than that in which the employee suffered a
13 subsequent disability from an occupational disease, such as herein
14 specified, the employee shall be entitled to compensation for the
15 subsequent disability in the same amount as if the previous impairment
16 or disability had not occurred. However, if the permanent impairment
17 or disability resulting from an occupational disease for which
18 compensation is claimed results only in the aggravation or increase of
19 a previously sustained permanent impairment from an occupational
20 disease or physical condition regardless of the source or cause of such
21 previously sustained impairment from an occupational disease or
22 physical condition, the board shall determine the extent of the
23 previously sustained permanent impairment from an occupational
24 disease or physical condition as well as the extent of the aggravation or
25 increase resulting from the subsequent permanent impairment or
26 disability, and shall award compensation only for that part of said
27 occupational disease or physical condition resulting from the
28 subsequent permanent impairment. An amputation of any part of the
29 body or loss of any or all of the vision of one (1) or both eyes caused by
30 an occupational disease shall be considered as a permanent impairment
31 or physical condition.

32 (n) If an employee suffers a disablement from an occupational
33 disease for which compensation is payable while the employee is still
34 receiving or entitled to compensation for a previous injury by accident
35 or disability by occupational disease in the same employment, the
36 employee shall not at the same time be entitled to compensation for
37 both, unless it be for a permanent injury, such as specified in
38 subsection (i)(1), (i)(4), (i)(5), (i)(8), or (i)(9), but the employee shall
39 be entitled to compensation for that disability and from the time of that
40 disability which will cover the longest period and the largest amount
41 payable under this chapter.

42 (o) If an employee receives a permanent disability from an



1 occupational disease such as specified in subsection (i)(1), (i)(4), (i)(5),
 2 (i)(8), or (i)(9) after having sustained another such permanent disability
 3 in the same employment the employee shall be entitled to
 4 compensation for both such disabilities, but the total compensation
 5 shall be paid by extending the period and not by increasing the amount
 6 of weekly compensation and, when such previous and subsequent
 7 permanent disabilities, in combination result in total permanent
 8 disability or permanent total impairment, compensation shall be
 9 payable for such permanent total disability or impairment, but
 10 payments made for the previous disability or impairment shall be
 11 deducted from the total payment of compensation due.

12 (p) When an employee has been awarded or is entitled to an award
 13 of compensation for a definite period from an occupational disease
 14 wherein disablement occurs on and after April 1, 1963, and such
 15 employee dies from other causes than such occupational disease,
 16 payment of the unpaid balance of such compensation not exceeding
 17 three hundred fifty (350) weeks shall be paid to the employee's
 18 dependents of the second and third class as defined in sections 11
 19 through 14 of this chapter and compensation, not exceeding five
 20 hundred (500) weeks shall be made to the employee's dependents of the
 21 first class as defined in sections 11 through 14 of this chapter.

22 (q) Any payment made by the employer to the employee during the
 23 period of the employee's disability, or to the employee's dependents,
 24 which, by the terms of this chapter, was not due and payable when
 25 made, may, subject to the approval of the worker's compensation board,
 26 be deducted from the amount to be paid as compensation, but such
 27 deduction shall be made from the distal end of the period during which
 28 compensation must be paid, except in cases of temporary disability.

29 (r) When so provided in the compensation agreement or in the
 30 award of the worker's compensation board, compensation may be paid
 31 semimonthly, or monthly, instead of weekly.

32 (s) When the aggregate payments of compensation awarded by
 33 agreement or upon hearing to an employee or dependent under eighteen
 34 (18) years of age do not exceed one hundred dollars (\$100), the
 35 payment thereof may be made directly to such employee or dependent,
 36 except when the worker's compensation board shall order otherwise.

37 (t) Whenever the aggregate payments of compensation, due to any
 38 person under eighteen (18) years of age, exceed one hundred dollars
 39 (\$100), the payment thereof shall be made to a trustee, appointed by the
 40 circuit or superior court, or to a duly qualified guardian, or, upon the
 41 order of the worker's compensation board, to a parent or to such minor
 42 person. The payment of compensation, due to any person eighteen (18)



years of age or over, may be made directly to such person.

(u) If an employee, or a dependent, is mentally incompetent, or a minor at the time when any right or privilege accrues to the employee under this chapter, the employee's guardian or trustee may, in the employee's behalf, claim and exercise such right and privilege.

(v) All compensation payments named and provided for in this section, shall mean and be defined to be for only such occupational diseases and disabilities therefrom as are proved by competent evidence, of which there are or have been objective conditions or symptoms proven, not within the physical or mental control of the employee.

SECTION 7. IC 22-3-7-19, AS AMENDED BY P.L.160-2022, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, the average weekly wages are considered to be:

(1) with respect to disablements occurring on and after July 1, 2009, and before July 1, 2014:

(A) not more than nine hundred seventy-five dollars (\$975);

and

(B) not less than seventy-five dollars (\$75);

(2) with respect to disablements occurring on and after July 1, 2014, and before July 1, 2015:

(A) not more than one thousand forty dollars (\$1,040); and

(B) not less than seventy-five dollars (\$75);

(3) with respect to disablements occurring on and after July 1, 2015, and before July 1, 2016:

(A) not more than one thousand one hundred five dollars (\$1,105); and

(B) not less than seventy-five dollars (\$75);

(4) with respect to disablements occurring on and after July 1, 2016, and before July 1, 2023:

(A) not more than one thousand one hundred seventy dollars (\$1,170); and

(B) not less than seventy-five dollars (\$75);

(5) with respect to disablements occurring on and after July 1, 2023, and before July 1, 2024:

(A) not more than one thousand two hundred five dollars (\$1,205); and

(B) not less than seventy-five dollars (\$75);

(6) with respect to disablements occurring on and after July 1, 2024, and before July 1, 2025:



- 1 (A) not more than one thousand two hundred forty-one dollars
 2 (\$1,241); and
 3 (B) not less than seventy-five dollars (\$75);
 4 (7) with respect to disablements occurring on and after July 1,
 5 2025, and before July 1, 2026:
 6 (A) not more than one thousand two hundred seventy-eight
 7 dollars (\$1,278); and
 8 (B) not less than seventy-five dollars (\$75); ~~and~~
 9 (8) with respect to disablements occurring on and after July 1,
 10 2026, **and before July 1, 2027:**
 11 (A) not more than ~~one thousand three hundred sixteen dollars~~
 12 ~~(\$1,316);~~ **one thousand four hundred six dollars (\$1,406);**
 13 and
 14 (B) not less than seventy-five dollars (\$75);
 15 **(9) with respect to disablements occurring on and after July**
 16 **1, 2027, and before July 1, 2028:**
 17 (A) **not more than one thousand four hundred ninety**
 18 **dollars (\$1,490); and**
 19 (B) **not less than seventy-five dollars (\$75);**
 20 **(10) with respect to disablements occurring on and after July**
 21 **1, 2028, and before July 1, 2029:**
 22 (A) **not more than one thousand five hundred fifty dollars**
 23 **(\$1,550); and**
 24 (B) **not less than seventy-five dollars (\$75);**
 25 **(11) with respect to disablements occurring on and after July**
 26 **1, 2029, and before July 1, 2030:**
 27 (A) **not more than one thousand six hundred twelve dollars**
 28 **(\$1,612); and**
 29 (B) **not less than seventy-five dollars (\$75);**
 30 **(12) with respect to disablements occurring on and after July**
 31 **1, 2030, and before July 1, 2031:**
 32 (A) **not more than one thousand six hundred seventy-six**
 33 **dollars (\$1,676); and**
 34 (B) **not less than seventy-five dollars (\$75); and**
 35 **(13) with respect to disablements occurring on and after July**
 36 **1, 2031:**
 37 (A) **not more than one thousand seven hundred forty-three**
 38 **dollars (\$1,743); and**
 39 (B) **not less than seventy-five dollars (\$75).**
 40 (b) The maximum compensation that shall be paid for occupational
 41 disease and the results of an occupational disease under this chapter or
 42 under any combination of the provisions of this chapter may not exceed



the following amounts in any case:

(1) With respect to disability or death occurring on and after July 1, 2009, and before July 1, 2014, three hundred twenty-five thousand dollars (\$325,000).

(2) With respect to disability or death occurring on and after July 1, 2014, and before July 1, 2015, three hundred forty-seven thousand dollars (\$347,000).

(3) With respect to disability or death occurring on and after July 1, 2015, and before July 1, 2016, three hundred sixty-eight thousand dollars (\$368,000).

(4) With respect to disability or death occurring on and after July 1, 2016, and before July 1, 2023, three hundred ninety thousand dollars (\$390,000).

(5) With respect to disability or death occurring on and after July 1, 2023, and before July 1, 2024, four hundred two thousand dollars (\$402,000).

(6) With respect to disability or death occurring on and after July 1, 2024, and before July 1, 2025, four hundred fourteen thousand dollars (\$414,000).

(7) With respect to disability or death occurring on and after July 1, 2025, and before July 1, 2026, four hundred twenty-six thousand dollars (\$426,000).

(8) With respect to disability or death occurring on and after July 1, 2026, **and before July 1, 2027, four hundred thirty-nine thousand dollars (\$439,000); four hundred sixty-eight thousand dollars (\$468,000).**

(9) With respect to disability or death occurring on and after July 1, 2027, and before July 1, 2028, four hundred ninety-six thousand dollars (\$496,000).

(10) With respect to disability or death occurring on and after July 1, 2028, and before July 1, 2029, five hundred sixteen thousand dollars (\$516,000).

(11) With respect to disability or death occurring on and after July 1, 2029, and before July 1, 2030, five hundred thirty-seven thousand dollars (\$537,000).

(12) With respect to disability or death occurring on and after July 1, 2030, and before July 1, 2031, five hundred fifty-eight thousand dollars (\$558,000).

(13) With respect to disability or death occurring on and after July 1, 2031, five hundred eighty-one thousand dollars (\$581,000).

(c) For all disabilities occurring on and after July 1, 1985, "average



1 weekly wages" means the earnings of the injured employee during the
 2 period of fifty-two (52) weeks immediately preceding the disability
 3 divided by fifty-two (52). If the employee lost seven (7) or more
 4 calendar days during the period, although not in the same week, then
 5 the earnings for the remainder of the fifty-two (52) weeks shall be
 6 divided by the number of weeks and parts of weeks remaining after the
 7 time lost has been deducted. If employment before the date of disability
 8 extended over a period of less than fifty-two (52) weeks, the method of
 9 dividing the earnings during that period by the number of weeks and
 10 parts of weeks during which the employee earned wages shall be
 11 followed if results just and fair to both parties will be obtained. If by
 12 reason of the shortness of the time during which the employee has been
 13 in the employment of the employer or of the casual nature or terms of
 14 the employment it is impracticable to compute the average weekly
 15 wages for the employee, the employee's average weekly wages shall be
 16 considered to be the average weekly amount that, during the fifty-two
 17 (52) weeks before the date of disability, was being earned by a person
 18 in the same grade employed at the same work by the same employer or,
 19 if there is no person so employed, by a person in the same grade
 20 employed in that same class of employment in the same district.
 21 Whenever allowances of any character are made to an employee
 22 instead of wages or a specified part of the wage contract, they shall be
 23 considered a part of the employee's earnings.

24 (d) The provisions of this article may not be construed to result in
 25 an award of benefits in which the number of weeks paid or to be paid
 26 for temporary total disability, temporary partial disability, or permanent
 27 total disability benefits combined exceeds five hundred (500) weeks.
 28 This section shall not be construed to prevent a person from applying
 29 for an award under IC 22-3-3-13. However, in case of permanent total
 30 disability resulting from a disablement occurring on or after January 1,
 31 1998, the minimum total benefit shall not be less than seventy-five
 32 thousand dollars (\$75,000).

33 SECTION 8. IC 22-4-4-3, AS AMENDED BY P.L.122-2019,
 34 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2026]: Sec. 3. (a) For calendar quarters beginning on and after
 36 July 1, 1997, and before July 1, 1998, "wage credits" means
 37 remuneration paid for employment by an employer to an individual and
 38 remuneration received as tips or gratuities in accordance with Sections
 39 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may
 40 not exceed five thousand four hundred dollars (\$5,400) and may not
 41 include payments specified in section 2 of this chapter.

42 (b) For calendar quarters beginning on and after July 1, 1998, and



1 before July 1, 1999, "wage credits" means remuneration paid for
2 employment by an employer to an individual and remuneration
3 received as tips or gratuities in accordance with Sections 3102 and
4 3301 et seq. of the Internal Revenue Code. Wage credits may not
5 exceed five thousand six hundred dollars (\$5,600) and may not include
6 payments that are excluded from the definition of wages under section
7 2 of this chapter.

8 (c) For calendar quarters beginning on and after July 1, 1999, and
9 before July 1, 2000, "wage credits" means remuneration paid for
10 employment by an employer to an individual and remuneration
11 received as tips or gratuities in accordance with Sections 3102 and
12 3301 et seq. of the Internal Revenue Code. Wage credits may not
13 exceed five thousand eight hundred dollars (\$5,800) and may not
14 include payments that are excluded from the definition of wages under
15 section 2 of this chapter.

16 (d) For calendar quarters beginning on and after July 1, 2000, and
17 before July 1, 2001, "wage credits" means remuneration paid for
18 employment by an employer to an individual and remuneration
19 received as tips or gratuities in accordance with Sections 3102 and
20 3301 et seq. of the Internal Revenue Code. Wage credits may not
21 exceed six thousand seven hundred dollars (\$6,700) and may not
22 include payments that are excluded from the definition of wages under
23 section 2 of this chapter.

24 (e) For calendar quarters beginning on and after July 1, 2001, and
25 before July 1, 2002, "wage credits" means remuneration paid for
26 employment by an employer to an individual and remuneration
27 received as tips or gratuities in accordance with Sections 3102 and
28 3301 et seq. of the Internal Revenue Code. Wage credits may not
29 exceed seven thousand three hundred dollars (\$7,300) and may not
30 include payments that are excluded from the definition of wages under
31 section 2 of this chapter.

32 (f) For calendar quarters beginning on and after July 1, 2002, and
33 before July 1, 2003, "wage credits" means remuneration paid for
34 employment by an employer to an individual and remuneration
35 received as tips or gratuities in accordance with Sections 3102 and
36 3301 et seq. of the Internal Revenue Code. Wage credits may not
37 exceed seven thousand nine hundred dollars (\$7,900) and may not
38 include payments that are excluded from the definition of wages under
39 section 2 of this chapter.

40 (g) For calendar quarters beginning on and after July 1, 2003, and
41 before July 1, 2004, "wage credits" means remuneration paid for
42 employment by an employer to an individual and remuneration



received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed eight thousand two hundred sixteen dollars (\$8,216) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(h) For calendar quarters beginning on and after July 1, 2004, and before July 1, 2005, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed eight thousand seven hundred thirty-three dollars (\$8,733) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(i) For calendar quarters beginning on and after July 1, 2005, and before July 1, 2012, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed nine thousand two hundred fifty dollars (\$9,250) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(j) For calendar quarters beginning on and after July 1, 2012, **and before July 1, 2026**, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not include payments that are excluded from the definition of wages under section 2 of this chapter.

(k) For calendar quarters beginning after June 30, 2026, "wage credits" means remuneration paid for employment by an employer to an individual and remuneration received as tips or gratuities in accordance with Sections 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may not exceed twelve thousand three hundred fifty dollars (\$12,350) and may not include payments that are excluded from the definition of wages under section 2 of this chapter.

SECTION 9. IC 22-4-12-2, AS AMENDED BY P.L.2-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) ~~With respect to initial claims filed for any week beginning on and after July 1, 1997, and before July 1, 2012, each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid~~



for the week, if properly claimed; benefits at the rate of:

(1) five percent (5%) of the first two thousand dollars (\$2,000) of the individual's wage credits in the calendar quarter during the individual's base period in which the wage credits were highest; and

(2) four percent (4%) of the individual's remaining wage credits in the calendar quarter during the individual's base period in which the wage credits were highest.

(a) For purposes of this section, "prior average weekly wage" means the result of:

(1) the individual's total wage credits during the individual's base period; divided by

(2) fifty-two (52).

(b) With respect to initial claims filed for any week beginning on and after July 1, 2012, and before July 1, 2026, each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid for the week, if properly claimed, an amount equal to forty-seven percent (47%) of the individual's prior average weekly wage, rounded (if not already a multiple of one dollar (\$1)) to the next lower dollar. However, the maximum weekly benefit amount may not exceed three hundred ninety dollars (\$390).

(c) For purposes of this section, "prior average weekly wage" means the result of:

(1) the individual's total wage credits during the individual's base period; divided by

(2) fifty-two (52).

(c) With respect to initial claims filed for any week beginning after June 30, 2026, each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid for the week, if properly claimed, benefits at the rate of:

(1) five percent (5%) of the first two thousand dollars (\$2,000) of the individual's wage credits in the calendar quarter during the individual's base period in which the wage credits were highest; and

(2) four percent (4%) of the individual's remaining wage credits in the calendar quarter during the individual's base period in which the wage credits were highest.

(d) Except as provided in section 2.5 of this chapter, an individual's weekly benefit amount may not exceed five hundred fourteen dollars (\$514).



SECTION 10. IC 22-4-12-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 2.5. (a) This section applies to initial claims filed for any week beginning after June 30, 2026.**

(b) For purposes of this section, "dependent":

(1) means:

(A) a lawful husband or wife who is unemployed and currently ineligible for Indiana benefits because of insufficient base period wages;

(B) a natural child;

(C) an adopted child;

(D) a stepchild of the claimant, if the stepchild is not receiving temporary assistance to needy families; or

(E) a child placed in the claimant's home for adoption by an authorized placement agency or a court of law, if the child:

(i) is less than eighteen (18) years of age; and

(ii) has received more than one-half (1/2) the cost of support from the claimant during the past ninety (90) days (or for the duration of the relationship, if less) immediately preceding the claimant's benefit year beginning date; and

(2) includes the following:

(A) A person with a disability at least eighteen (18) years of age who is a child of the claimant and who received more than one-half (1/2) the cost of the person's support from the claimant during the ninety (90) day period immediately preceding the claimant's benefit year beginning date.

(B) A child for whom the claimant is the court appointed legal guardian.

(c) For purposes of subsection (b)(2):

(1) "child" includes:

(A) a natural child;

(B) an adopted child;

(C) a stepchild of the claimant, if the stepchild is not receiving temporary assistance to needy families; or

(D) a child placed in the claimant's home for adoption by an authorized placement agency or a court of law; and

(2) "person with a disability" means an individual who by reason of physical or mental defect or infirmity, whether:

(A) congenital; or



1 **(B) acquired by accident, injury, or disease;**
2 **is totally or partially prevented from achieving the fullest**
3 **attainable physical, social, economic, mental, and vocational**
4 **participation in the normal process of living.**
5 **(d) In addition to the weekly benefit amount determined under**
6 **section 2 of this chapter, an eligible and qualified individual is**
7 **entitled to an additional benefit amount of fifty dollars (\$50) per**
8 **week for each dependent claimed by the eligible and qualified**
9 **individual. However, the total additional weekly benefit provided**
10 **to an eligible and qualified individual under this subsection may**
11 **not exceed one hundred fifty dollars (\$150).**

