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### **Amending 81-18-14 (2), (3), (4), (f), and (5) (a), And 81-18-15, Colorado Revised Statutes 1953 (1961 Supp.), Concerning Occupational Diseases.**

Colorado General Assembly

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## CHAPTER 186

## LABOR II — WORKMAN'S COMPENSATION

OCCUPATIONAL DISEASES  
BENEFITS

(Senate Bill No. 198. By Senator Wolvington; also Representatives Howard, Gossard, Stalker, Braden, Autry, Nichols, and Atkinson.)

## AN ACT

AMENDING 81-18-14 (2), (3), (4), (f), AND (5) (a), AND 81-18-15, COLORADO REVISED STATUTES 1953 (1961 SUPP.), CONCERNING OCCUPATIONAL DISEASES.

*Be It Enacted by the General Assembly of the State of Colorado:*

Section 1. 81-18-14 (2), (3), (4) (f), and (5) (a), Colorado Revised Statutes 1953 (1961 Supp.), are hereby amended to read:

81-18-14.—Benefits for disability — diseases.—(2) In case of occupational disease resulting in temporary disability of more than seven days' duration, the employee shall receive sixty-six and two-thirds per cent of his average weekly wages so long as such disability is total, not to exceed a maximum of ~~forty dollars and twenty-five cents~~ FORTY-THREE DOLLARS AND SEVENTY-FIVE CENTS per week and not less than a minimum of ~~ten dollars~~ ELEVEN DOLLARS AND FIFTY CENTS per week and the aggregate amount of payments therefor shall in no event exceed the aggregate amount of ~~twelve thousand five hundred ninety-eight dollars and twenty-five cents~~ THIRTEEN THOUSAND SIX HUNDRED NINETY-THREE DOLLARS AND SEVENTY-FIVE CENTS.

(3) In case of occupational disease resulting in temporary partial disability of more than seven days' duration the employee shall receive sixty-six and two-thirds per cent of his average weekly wages THE IMPAIRMENT

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

OF HIS EARNING CAPACITY during the continuance thereof, not to exceed a maximum of ~~forty dollars and twenty-five cents~~ FORTY-THREE DOLLARS AND SEVENTY-FIVE CENTS per week or the aggregate sum of ~~two thousand five hundred dollars~~ TWO THOUSAND SEVEN HUNDRED SEVENTEEN DOLLARS AND THIRTY-NINE CENTS.

(4) (f) When an employee sustains two or more disabilities coming under this schedule, the disabilities specified in this subsection shall be added and the injured employee shall receive the sum total thereof not exceeding ~~five thousand dollars~~ FIVE THOUSAND FOUR HUNDRED THIRTY-FOUR DOLLARS AND SEVENTY-EIGHT CENTS; provided, that where the injury results in the loss or partial loss of the use of the index finger and thumb of the same hand, or of more than two digits of any one hand or foot, the disability may, in the discretion of the commission, be compensated on the basis of the partial loss of use of said hand or foot, measured respectively from the wrist or ankle.

(5) (a) In cases of permanent total disability, the award shall be sixty-six and two-thirds per cent of the average weekly wages of the affected employee and shall continue to death of such person so totally disabled but not in excess of the weekly maximum and not less than the weekly minimum benefits specified herein for occupational diseases causing temporary total disability and subject to a maximum aggregate payment for all total disability in the amount of ~~twelve thousand five hundred ninety-eight dollars and twenty-five cents~~ THIRTEEN THOUSAND SIX HUNDRED NINETY-THREE DOLLARS AND SEVENTY-FIVE CENTS, less any sums previously paid or credited under the provisions of subsection (6) of this section.

Section 2. 81-18-15, Colorado Revised Statutes 1953 (1961 Supp.), is hereby amended to read:

81-18-15.—Benefits for death — diseases.—Subject to the provisions of section 81-18-17, the compensation benefits to which the dependents of an employee shall be entitled under this article for death resulting from an occupational disease other than silicosis, asbestosis, or anthracosis shall be in the aggregate not to exceed the difference between the total sums paid to the employee for disability resulting from such disease as provided in section 81-18-14 and the sum of ~~twelve thousand five hundred ninety-eight dollars and twenty-five cents~~ THIRTEEN THOUSAND SIX HUNDRED NINETY-THREE

DOLLARS AND SEVENTY-FIVE CENTS, such compensation benefits to be paid in the same manner, to the same persons, and at the same weekly rate, and to be subject to the same conditions as to termination or reduction as in the case, under the workmen's compensation act of Colorado, of death resulting from an injury by accident; EXCEPT THAT WHERE ANY OF THE DEPENDENTS ARE WHOLLY DEPENDENT CHILDREN (AS DEFINED IN SECTION 81-11-1) THE MAXIMUM COMPENSATION FOR DEATH BENEFITS ABOVE PROVIDED SHALL BE INCREASED BY THREE DOLLARS AND SEVENTY-FIVE CENTS PER WEEK FOR EACH SUCH CHILD, NOT TO EXCEED A TOTAL OF THREE CHILDREN AND TO CONTINUE NOT TO EXCEED SIX YEARS FROM THE DATE OF DEATH OF DECEASED EMPLOYEE AND NOT TO AMOUNT TO MORE THAN THE MAXIMUM SUM OF SEVENTEEN THOUSAND TWO HUNDRED FIFTEEN DOLLARS, AND THE MAXIMUM WEEKLY RATE IN SUCH CASES SHALL BE FIFTY-FIVE DOLLARS.

Section 3.—**Safety clause.**—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 18, 1963.