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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: Z-0441.1/26

ATTY/TYPIST: MFW:eab

BRIEF DESCRIPTION: Stabilizing workers' compensation adjustments.

1 AN ACT Relating to stabilizing workers' compensation adjustments;  
2 amending RCW 51.32.075; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 51.32.075 and 2011 1st sp.s. c 37 s 202 are each  
5 amended to read as follows:

6 The compensation or death benefits payable pursuant to the  
7 provisions of this chapter for temporary total disability, permanent  
8 total disability, or death arising out of injuries or occupational  
9 diseases shall be adjusted as follows:

10 (1) On July 1, 1982, there shall be an adjustment for those whose  
11 right to compensation was established on or after July 1, 1971, and  
12 before July 1, 1982. The adjustment shall be determined by  
13 multiplying the amount of compensation to which they are entitled by  
14 a fraction, the denominator of which shall be the average monthly  
15 wage in the state under RCW 51.08.018 for the fiscal year in which  
16 such person's right to compensation was established, and the  
17 numerator of which shall be the average monthly wage in the state  
18 under RCW 51.08.018 on July 1, 1982.

19 (2) In addition to the adjustment established by subsection (1)  
20 of this section, there shall be another adjustment on July 1, 1983,  
21 for those whose right to compensation was established on or after

1 July 1, 1971, and before July 1983, which shall be determined by  
2 multiplying the amount of compensation to which they are entitled by  
3 a fraction, the denominator of which shall be the average monthly  
4 wage in the state under RCW 51.08.018 for the fiscal year in which  
5 such person's right to compensation was established, and the  
6 numerator of which shall be the average monthly wage in the state  
7 under RCW 51.08.018 on July 1, 1983.

8 (3) In addition to the adjustments under subsections (1) and (2)  
9 of this section, further adjustments shall be made beginning on July  
10 1, 1984, and on each July 1st thereafter through July 1, 2010, for  
11 those whose right to compensation was established on or after July 1,  
12 1971. The adjustment shall be determined by multiplying the amount of  
13 compensation to which they are entitled by a fraction, the  
14 denominator of which shall be the average monthly wage in the state  
15 under RCW 51.08.018 for the fiscal year in which such person's right  
16 to compensation was established, and the numerator of which shall be  
17 the average monthly wage in the state under RCW 51.08.018 on July 1st  
18 of the year in which the adjustment is being made. The department or  
19 self-insurer shall adjust the resulting compensation rate to the  
20 nearest whole cent, not to exceed the average monthly wage in the  
21 state as computed under RCW 51.08.018.

22 (4) In addition to the adjustments under subsections (1) ~~((, (2),~~  
23 ~~and))~~ through (3) of this section, further adjustments shall be made  
24 beginning July 1, 2012, and on each July 1st thereafter for those  
25 whose right to compensation was established on or after July 1, 1971.  
26 ~~((The))~~ Until July 1, 2027, the adjustment shall be the percentage  
27 change in the average monthly wage in the state under RCW 51.08.018  
28 for the preceding calendar year, rounded to the nearest whole cent.  
29 For claims whose right to compensation was established on or after  
30 July 1, 2011, no adjustment shall be made under this subsection until  
31 the second July 1st following the date of injury or occupational  
32 disease manifestation.

33 (5) In addition to the adjustments under subsections (1) through  
34 (4) of this section, further adjustments shall be made beginning July  
35 1, 2027, and each July 1st thereafter for those whose right to  
36 compensation was established on or after July 1, 1971. The annual  
37 adjustment shall be the average growth in the average monthly wage in  
38 the state under RCW 51.08.018 for the preceding 10 calendar years,  
39 rounded to the nearest whole cent, not to exceed five percent. For  
40 claims whose right to compensation was established on or after July

1 1, 2027, no adjustment shall be made under this subsection until the  
2 second July 1st following the date of injury or occupational disease  
3 manifestation.

4 NEW SECTION. **Sec. 2.** If any provision of this act or its  
5 application to any person or circumstance is held invalid, the  
6 remainder of the act or the application of the provision to other  
7 persons or circumstances is not affected.

8 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2027.

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