

ASSEMBLY, No. 1369

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman STUHLTRAGER

1 AN ACT concerning workers' compensation and amending
2 R.S.34:15-28.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. R.S.34:15-28 is amended to read as follows:
8 34:15-28. Interest on payments withheld. Whenever lawful
9 compensation shall have been withheld from an injured employee or
10 dependents for a term of three months or more following entry of a
11 judgment, simple interest on each weekly payment for the period of
12 delay of each payment may, at the discretion of the division, be added
13 to the amount due at the time of settlement plus any reasonable legal
14 fees incurred by the petitioner as a result of and in relation to the
15 withholding of compensation. The annual rate of interest on payments
16 withheld shall equal the average rate of return, to the nearest whole or
17 one-half percent, for the corresponding preceding fiscal year
18 terminating on June 30, of the State of New Jersey Cash Management
19 Fund (State accounts) as reported by the Division of Investment in the
20 Department of the Treasury.
21 (cf: P.L.1987, c.126, s.2)

22
23 2. This act shall take effect immediately.

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25
26 STATEMENT

27
28 This bill provides that the Division of Workers' Compensation may
29 award reasonable legal fees to a petitioner who incurs legal fees as a
30 result of the withholding of compensation for a period of three months
31 or more following the entry of a judgment.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

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3 Provides for the payment of legal fees incurred to secure certain
4 workers' compensation payments.