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HOUSE BILL NO. 1239

Offered January 17, 2002

A BILL to amend and reenact § 65.2-525 of the Code of Virginia, relating to Workers' Compensation payments made to benefit a minor.

Patrons—Suit and Hull

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That § 65.2-525 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-525. Who may receive payment and receipt therefor.

A. Whenever payment of compensation is made to a surviving spouse for his use, or for his use and the use of a minor child ~~or children~~, *and such payments are made in the form of periodic weekly, monthly or quarterly payments*, the written receipt thereof of such surviving spouse shall acquit the employer. *The Commission, however, may require annual written certifications from the surviving spouse confirming that the portion of such payments for the benefit of the minor child has been used for the benefit of such minor child.*

B. Whenever payment is made to any person eighteen years of age or over, the written receipt of such person shall acquit the employer. If a minor shall be entitled to receive a ~~sum amounting to not more than \$10,000 in the aggregate lump sum payment pursuant to § 65.2-522 amounting to not more than \$15,000~~ as compensation for injuries, or as a distributive share by virtue of this title, the parent or natural guardian upon whom such minor shall be dependent for support shall be authorized and empowered to receive and give receipt for such moneys to the same extent as a guardian of the person and property of such minor duly appointed by proper court, and the release or discharge of such parent or natural guardian shall be a full and complete discharge of all claims or demands of such minor thereunder.

C. Whenever any ~~lump sum payment of over \$10,000 in the aggregate pursuant to § 65.2-522 greater than \$15,000~~ is due to a minor or to an incapacitated person as defined in § 37.1-134.6, the same shall be made to the guardian of the property of such minor or the conservator of such incapacitated adult or, if there is none, to some suitable person or corporation appointed by the circuit court as a trustee, and the receipt of such trustee shall acquit the employer.

2. That the provisions of this act shall apply to payments received by a surviving spouse for the use of a minor child on and after the effective date of this act.

INTRODUCED

HB1239