

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 65.2-512 of the Code of Virginia, relating to workers' compensation;*
3 *burial expenses.*

4 [H 1066]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 65.2-512 of the Code of Virginia is amended and reenacted as follows:**

8 § 65.2-512. Compensation to dependents of an employee killed; burial expenses.

9 A. If death results from the accident within nine years, the employer shall pay, or cause to be paid,
10 compensation in weekly payments equal to 66 2/3 percent of the employee's average weekly wages, but
11 not more than 100 percent of the average weekly wage of the Commonwealth as defined in § 65.2-500
12 nor less than 25 percent of the average weekly wage as defined therein:

13 1. To those persons presumed to be wholly dependent upon the deceased employee as set forth in
14 subdivisions A 1, A 2, and A 3 of § 65.2-515, for a period of 500 weeks from the date of injury; or

15 2. If there are no total dependents pursuant to subdivision A 1, A 2, or A 3 of § 65.2-515, to those
16 persons presumed to be wholly dependent as set forth in subdivision A 4 of § 65.2-515, and to those
17 determined to be wholly dependent in fact, for a period of 400 weeks from the date of injury; or

18 3. If there are no total dependents, to partial dependents in fact, for a period of 400 weeks from the
19 date of injury.

20 B. The employer shall also pay burial expenses not exceeding ~~\$5,000~~ \$10,000 and reasonable
21 transportation expenses for the deceased not exceeding ~~\$500~~ \$1,000.

22 C. Benefits shall be divided equally among total dependents, to the exclusion of partial dependents.
23 If there are no total dependents, benefits shall be divided among partial dependents according to the
24 dependency of each upon the earnings of the employee at the time of the injury, in the proportion that
25 partial dependency bears to total dependency.

26 D. If benefits are terminated as to any member of a class herein, that member's share shall be
27 divided among the remaining members of the class proportionately according to their dependency.

28 E. When weekly payments have been made to an injured employee before his death, the
29 compensation to dependents shall begin from the date of the last of such payments but shall not
30 continue for a period longer than specified in subsection A of this section.

ENROLLED

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