# STATE OF NEW YORK

5866

2023-2024 Regular Sessions

# IN SENATE

March 20, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to permitting payments 14 days after the due date

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Paragraph (e) of subdivision 1 of section 25 of the workers' compensation law, as amended by chapter 635 of the laws of 1996, is amended to read as follows:

(e) If the employer or insurance carrier shall fail to pay any installments of compensation within [~~twenty-five~~] **fourteen** days after the same become due, there shall be paid by the employer or, if insured, its insurance carrier, an additional amount of twenty percent of the compensation then due which shall accrue for the benefit of the injured worker or his or her dependents and shall be paid to him or her or them with the compensation, unless such delay or default is excused by the board upon the application of the employer or insurance carrier upon the ground that owing to conditions over which the employer or insurance carrier had no control, such payment could not be made. The employer in each such instance shall also be assessed the sum of three hundred dollars, which shall be paid to the claimant.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD05627-01-3