

May 25, 2006

S 2012. SUTA MODIFICATIONS. Filed 5/25/06. *TO RELIEVE A SUCCESSOR EMPLOYER OF THE HIGHER UNEMPLOYMENT CONTRIBUTION RATE OF ITS PREDECESSOR WHEN THERE IS NO COMMON OWNERSHIP OF THE TWO EMPLOYERS.* Amends GS 96-9(c)(4) to provide that if an employer acquires the business of another employer through a sale in bankruptcy and there is no common ownership or control of the employing units, the account of the predecessor shall, upon mutual consent of the parties and approval of the Employment Security Commission, be transferred to the successor employer as of the date of acquisition for use in determining the rate of unemployment contributions. Specifies time limits for requests to transfer accounts.

Intro. by Bingham.

GS 96

June 22, 2006

S 2012. SUTA MODIFICATIONS. Filed 5/25/06. Senate committee substitute makes the following changes to 1st edition. Changes revisions to GS 96-9(c)(4) provision regarding transfer of employer's unemployment contribution account to successor by bankruptcy sale by making the transfer mandatory unless there is no common ownership between the predecessor and the successor and the successor acquired the predecessor's assets in a bankruptcy sale. Prior edition made the transfer subject to the approval of the Employment Security Commission, which is required for transfer of an account in connection with a transfer of a distinct and several portion of the predecessor employer's organization, trade, or business. Makes other changes to the mechanism for Commission review of an account transfer. Amends effective date by specifying that it is effective when it becomes law but applies to acquisitions made on or after September 1, 2003. Changes title to *AN ACT TO ENSURE THAT THE UNEMPLOYMENT TAX CONTRIBUTION RATE OF A BANKRUPT COMPANY WHOSE ASSETS ARE SOLD IN A BANKRUPTCY SALE IS NOT TRANSFERRED TO A COMPANY THAT BUYS THE ASSETS OF THE BANKRUPT COMPANY AND SHARES NO COMMON OWNERSHIP WITH THE BANKRUPT COMPANY.*

July 12, 2006

S 2012. SUTA MODIFICATIONS. Filed 5/25/06. House amendments make the following changes to 2nd edition. Amendments 1 and 2 add a provision to GS 96-9(c)(4)a.1 to provide that the successor's rate of contributions is determined without regard to the predecessor's rate of contributions in the situation excepted from the mandatory transfer rule.

July 19, 2006

S 2012. SUTA MODIFICATIONS. Filed 5/25/06. Conference report recommends the following changes to 2nd edition as amended to reconcile matters in controversy. Amends section 2 to make the act applicable to acquisitions made on or after August 1, 2003 (was, September 1, 2003).

August 22, 2006

SL 2006-251 (S 2012). SUTA MODIFICATIONS. *AN ACT TO ENSURE THAT THE UNEMPLOYMENT TAX CONTRIBUTION RATE OF A BANKRUPT COMPANY WHOSE ASSETS ARE SOLD IN A BANKRUPTCY SALE IS NOT TRANSFERRED TO A COMPANY THAT BUYS THE ASSETS OF THE BANKRUPT COMPANY AND SHARES NO COMMON OWNERSHIP WITH THE BANKRUPT COMPANY.* Summarized in *Daily Bulletin* 5/25/06, 6/22/06, 7/12/06, and 7/19/06. Enacted August 16, 2006. Effective August 16, 2006, and applies to acquisitions made on or after August 1, 2003.