



FAILED

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 383\*

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H383-ALE-16 [v.5]

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Comm. Sub. [YES]
Amends Title [YES]
PCS

Date April 13, 2011

Senator Blue

1 moves to amend the bill on page 1, lines 2, through page 6, line 33, by deleting the lines and
2 substituting the following:

3
4 "AN ACT TO PROTECT UNEMPLOYMENT BENEFITS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1.(a) G.S. 96-12.01(a1)(4)c. is amended by adding a new
7 sub-subsubdivision to read:

8 "3. This section applies as provided under the Tax Relief,
9 Unemployment Insurance Reauthorization, and Job Creation
10 Act of 2010 (P.L. 111-312) as it existed on December 17,
11 2010, and is applicable to compensation for weeks of
12 unemployment beginning after December 17, 2010, and
13 ending on or before December 31, 2011, provided that:

14 I. The average rate of (i) insured unemployment, not
15 seasonally adjusted, equaled or exceeded one hundred
16 twenty percent (120%) of the average of such rates for
17 the corresponding 13-week period ending in all of the
18 preceding three calendar years and equaled or
19 exceeded five percent (5%) or (ii) total
20 unemployment, seasonally adjusted, as determined by
21 the United States Secretary of Labor, for the period
22 consisting of the most recent three months for which
23 data for all states are published before the close of the
24 week equals or exceeds six and one-half percent
25 (6.5%); and

26 II. The average rate of total unemployment in this State,
27 seasonally adjusted, as determined by the United
28 States Secretary of Labor, for the three-month period
29 referred to in this subsection, equals or exceeds one
30 hundred ten percent (110%) of the average for any of
31 the corresponding three-month periods ending in the
32 three preceding calendar years."

33 SECTION 1.(b) G.S. 96-12.01(a1)(4)e. reads as rewritten:



\* H 3 8 3 - A L E - 1 6 - V - 5 \*

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1           "(4) There is an "on indicator" for this State for a week if the Commission  
2 determines, in accordance with the regulations of the United States Secretary  
3 of Labor, that for the period consisting of such week and the immediate  
4 preceding 12 weeks, the rate of insured unemployment (not seasonally  
5 adjusted) under this Chapter:

6           ...  
7           e. Total extended benefit amount.

8                 1. The total extended benefit amount payment to any eligible  
9 individual with respect to the applicable benefit year shall be  
10 the least of the following amounts:

11                     I. Fifty percent (50%) of the total amount of regular  
12 benefits which were payable to the individual under  
13 this Chapter in the individual's applicable benefit year;  
14 or

15                     II. Thirteen times the individual's weekly benefit amount  
16 that was payable to the individual under this Chapter  
17 for a week of total unemployment in the applicable  
18 benefit year.

19                 2. I. Effective with respect to weeks beginning in a high  
20 unemployment period, sub-subdivision e.1. of this  
21 subdivision shall be applied by substituting:

22                             A. "Eighty percent (80%)" for "fifty percent  
23 (50%)" in sub-subdivision e.1.I., and

24                             B. "Twenty" for "thirteen" in sub-subdivision  
25 e.1.II.

26                     II. For purposes of sub-subdivision 2.I., the term "high  
27 unemployment period" means any period during  
28 which an extended benefit period would be in effect if  
29 sub-subdivision c. of this subdivision were applied by  
30 substituting "eight percent (8%)" for six and one-half  
31 percent (6.5%).

32                 3. This subdivision applies as provided under the Tax Relief,  
33 Unemployment Insurance Reauthorization, and Job Creation  
34 Act of 2010 (P.L. 111-312) as it existed on December 17,  
35 2010, and is applicable to compensation for weeks of  
36 unemployment beginning after December 17, 2010, and  
37 ending on or before December 31, 2011, provided that:

38                     I. The average rate of total unemployment, seasonally  
39 adjusted, as determined by the United States Secretary  
40 of Labor, for the period consisting of the most recent  
41 three months for which data for all states are  
42 published before the close of the week equals or  
43 exceeds eight percent (8%); and

