

## NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

House Bill 383\*

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

H383-ALE-16 [v.5]

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

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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 This section applies as provided under the Tax Relief, "3. 9 Unemployment Insurance Reauthorization, and Job Creation 10 Act of 2010 (P.L. 111-312) as it existed on December 17, 2010, and is applicable to compensation for weeks of 11 unemployment beginning after December 17, 2010, and 12 13 ending on or before December 31, 2011, provided that: The average rate of (i) insured unemployment, not 14 15 seasonally adjusted, equaled or exceeded one hundred twenty percent (120%) of the average of such rates for 16 the corresponding 13-week period ending in all of the 17 18 preceding three calendar years and equaled or 19 exceeded five percent (5%)or (ii) unemployment, seasonally adjusted, as determined by 20 the United States Secretary of Labor, for the period 21 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 hundred ten percent (110%) of the average for any of 30

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



three preceding calendar years."

the corresponding three-month periods ending in the

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1	"(4)		"on indicator" for this State for a week if the Commission
2			accordance with the regulations of the United States Secretary
3			t for the period consisting of such week and the immediate
4			weeks, the rate of insured unemployment (not seasonally
5		adjusted) und	er this Chapter:
6			
7			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
0			the least of the following amounts:
1			I. Fifty percent (50%) of the total amount of regular
12 13			benefits which were payable to the individual under
13			this Chapter in the individual's applicable benefit year;
4			or
15			II. Thirteen times the individual's weekly benefit amount
16			that was payable to the individual under this Chapter
7			for a week of total unemployment in the applicable
8			benefit year.
9		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
21 22 23 24 25 26 27 28			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
0			substituting "eight percent (8%)" for six and one-half
31			percent (6.5%)".
32		<u>3.</u>	This subdivision applies as provided under the Tax Relief,
3			Unemployment Insurance Reauthorization, and Job Creation
34			Act of 2010 (P.L. 111-312) as it existed on December 17,
55			2010, and is applicable to compensation for weeks of
6			unemployment beginning after December 17, 2010, and
7			ending on or before December 31, 2011, provided that:
8			I. The average rate of total unemployment, seasonally
9			adjusted, as determined by the United States Secretary
0			of Labor, for the period consisting of the most recent
1			three months for which data for all states are
2			published before the close of the week equals or
3			exceeds eight percent (8%); and
-			The state of the s

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	11363-ALL-10 [V.5]	Principal Clerk)
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1	<u>II.</u>	The average rate of total unemployment in this State,
2	<u>11.</u>	seasonally adjusted, as determined by the United
3		States Secretary of Labor, for the three-month period
4		referred to in this subdivision equals or exceeds one
5		hundred ten percent (110%) of the average for any of
6		the corresponding three-month periods ending in the
7		three preceding calendar years."
8	SECTION 1 (c) The inten	t of this section is to allow extended benefits to be paid
9	` '	lief, Unemployment Insurance Reauthorization, and Job
0		ment of the benefits does not hinder the State's ability to
1		overnment to pay unemployment benefits. It is not the
2		xtended benefits with contributions paid by employers
3		olina General Statutes or with contributions paid by
4	-	x that would otherwise be used to pay down the amount
5		by the State to pay unemployment benefits. Nothing in
6		pay extended benefits provided by this section with
7		6 of the General Statutes or with any other State funds.
8		ayment of the benefits would divert federal payroll tax
9	•	aployers that would otherwise be used to pay down the
20		ernment by the State to pay unemployment benefits.
21		effective when it becomes law and expires January 1,
22	2012."	
		2.
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