



TABLED

NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 532\*

AMENDMENT NO. 2  
(to be filled in by  
Principal Clerk)

S532-ALB-101 [v.1]

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Comm. Sub. [YES]  
Amends Title [YES]  
S532-CSTD-44

Date June 2, 2011

Senator ~~Nesbitt~~ McKissick

1 moves to amend the bill on page 1, line 10 by rewriting the line to read:  
2 "THE SECRETARY OF COMMERCE, AND BY EXTENDING UNEMPLOYMENT  
3 BENEFITS.";

4  
5  
6 and on page 91, lines 18 and 19, by inserting between the lines:

7 "**PART VI. EXTENSION OF UNEMPLOYMENT BENEFITS.**

8 **SECTION 6.1.** G.S. 96-12.01(a1)(4)c. is amended by adding a new  
9 sub-subsubdivision to read:

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

16 I. The average rate of (i) insured unemployment, not  
17 seasonally adjusted, equaled or exceeded one hundred  
18 twenty percent (120%) of the average of such rates for  
19 the corresponding 13-week period ending in all of the  
20 preceding three calendar years and equaled or  
21 exceeded five percent (5%) or (ii) total  
22 unemployment, seasonally adjusted, as determined by  
23 the United States Secretary of Labor, for the period  
24 consisting of the most recent three months for which  
25 data for all states are published before the close of the  
26 week equals or exceeds six and one-half percent  
27 (6.5%); and

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



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the corresponding three-month periods ending in the  
three preceding calendar years."

**SECTION 6.2** G.S. 96-12.01(a1)(4)e. reads as rewritten:

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

...

e. Total extended benefit amount.

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

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

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

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

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

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

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

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

I. The average rate of total unemployment, seasonally adjusted, as determined by the United States Secretary of Labor, for the period consisting of the most recent

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three months for which data for all states are published before the close of the week equals or exceeds eight percent (8%); and

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

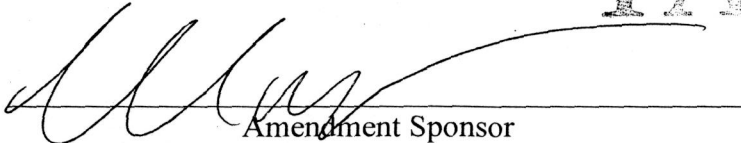
**SECTION 6.3** The intent of this section is to allow extended benefits to be paid as provided under the Federal Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 so long as the payment of the benefits does not hinder the State's ability to reduce the debt it owes the federal government to pay unemployment benefits. It is not the intent of this section to pay for the extended benefits with contributions paid by employers under Chapter 96 of the North Carolina General Statutes or with contributions paid by employers under the federal payroll tax that would otherwise be used to pay down the amount borrowed from the federal government by the State to pay unemployment benefits. Nothing in this section obligates the State to pay extended benefits provided by this section with contributions payable under Chapter 96 of the General Statutes or with any other State funds. This section is null and void if the payment of the benefits would divert federal payroll tax revenue payable by North Carolina employers that would otherwise be used to pay down the amount borrowed from the federal government by the State to pay unemployment benefits.

**SECTION 6.4** This Part becomes effective April 16, 2011, and expires January 1, 2012."

And renumber Section 6.1 as Section 7.1

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SIGNED

  
Amendment Sponsor

SIGNED

\_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_

FAILED \_\_\_\_\_

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31-17

*Sarah Clapp*  
6.2.11