

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 382

Commerce Committee Substitute Adopted 4/22/97

Short Title: Redefine Unemp. Ins. Base Period.

(Public)

Sponsors:

Referred to:

March 12, 1997

A BILL TO BE ENTITLED

AN ACT REDEFINING THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS AND ELIMINATING THE ONE AND ONE-HALF TIMES TEST.

The General Assembly of North Carolina enacts:

Section 1. G.S. 96-8(17) reads as rewritten:

"(17) a. Repealed by Session Laws 1977, c. 727, s. 33.

b. Repealed by Session Laws 1977, c. 727, s. 33.

c. As to claims filed on or after October 1, 1974, for claimants who do not have a benefit year in progress, 'benefit year' shall mean the one-year period beginning with the first day of a week with respect to which an individual first registers for work and files a valid claim for benefits. A valid claim shall be deemed to have been filed only if such individual, at the time the claim is filed, is unemployed, and has been paid wages in his base period totaling at least five hundred sixty-five dollars and fifty cents (\$565.50), and equal to at least one and one-half times his high-quarter wages, which high-quarter wages must equal at least one hundred and fifty dollars (\$150.00). As to claims filed on or after August 1, 1981, for claimants who do not have a benefit year in progress,

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1 'benefit year' shall mean the 52 week period beginning with the
2 first day of a week with respect to which an individual first
3 registers for work and files a valid claim for benefits. Provided,
4 however, if the first day of a week with respect to which an
5 individual first registers for work and files a valid claim for
6 benefits is either (i) the first day of a calendar quarter, or (ii) the
7 second day of a calendar quarter followed by a February 29
8 within one year thereof, 'benefit year' shall mean the one-year
9 period beginning with that first day of the week with respect to
10 which the individual first registers for work and files a valid
11 claim for benefits. A valid claim shall be deemed to have been
12 filed only if such individual, at the time the claim is filed, is
13 unemployed, and has been paid wages in his base period totaling
14 at least six times the average weekly insured wage, obtained in
15 accordance with ~~G.S. 96-8(22)~~ and equal to at least one and one-half
16 times his high quarter wages, which high quarter wages must equal at
17 least one and one-half times the average weekly insured wage,
18 ~~obtained in accordance with G.S. 96-8(22).~~ G.S. 96-8(22), and has
19 been paid wages in at least two quarters of the individual's base
20 period.

21 d. Repealed by Session Laws, 1981, c. 160, s. 11."

22 Section 2. G.S. 96-8(18) reads as rewritten:

23 "(18) 'Base period' means the first four of the last five completed calendar
24 quarters immediately preceding the first day of an individual's benefit
25 year as defined in subdivision (17) of this section. If an individual lacks
26 sufficient base period wages in order to establish a benefit year in the
27 manner set forth above, the claimant shall have an alternative base
28 period substituted for the current base period so as not to prevent
29 establishment of a valid claim. For the purposes of this subdivision,
30 'alternative base period' means the last four completed calendar
31 quarters."

32 Section 3. This act is effective when it becomes law and applies to new initial
33 claims filed on or after September 1, 1997. The Employment Security Commission shall
34 report to the General Assembly by January 1, 2001, on the effect of this act on
35 unemployment compensation claims. This act expires September 1, 2001.