

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1138
HOUSE BILL 1783

AN ACT TO AMEND CHAPTER 96 OF THE GENERAL STATUTES KNOWN AS THE
EMPLOYMENT SECURITY LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 96-8(10)b is amended by deleting after the word "the" in line 6 the words "next highest" and inserting in lieu thereof the word "nearest".

Sec. 2. G.S. 96-8(17) is amended by adding a new subparagraph "c" immediately following the subparagraph "b" to read as follows:

"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)."

Sec. 3. G.S. 96-12(b)(1) is amended by redesignating the existing subparagraph as "(b) (1) a" and adding new subparagraphs "b" and "c" as follows:

"b. Each eligible individual whose benefit year begins on or after the first day of October, 1974, who is totally unemployed as defined by G.S. 96-8(10)a, and who files a valid claim, shall be paid benefits with respect to such week or weeks at a rate per week equal to the amount obtained by dividing such individual's high quarter wages paid during his base period by 26, rounded to the nearest dollar, but shall not be less than fifteen dollars (\$15.00).

c. Each eligible individual whose benefit year begins on or after the first day of October, 1974, who is 'partially unemployed' or 'part totally unemployed' as defined in G.S. 96-8(10)b and c, respectively, and who files a valid claim, shall be paid benefits with respect to such week or weeks in an amount figured to the nearest multiple of one dollar which is equal to the difference between his weekly benefit amount and that part of the remuneration payable to him for such week which is in excess of one-half of his weekly benefit amount.

Sec. 4. G.S. 96-12(b)(2) is amended by inserting after the word "made" in the last line of the subparagraph the following:

"Beginning October 1, 1974, and each August 1 thereafter, a maximum weekly benefit amount available to an eligible individual whose benefit year begins on October 1, 1974, or thereafter, shall be determined by multiplying the average weekly insured wage, obtained in accordance with G.S. 96-8(22), by two-thirds rounded to the nearest dollar. The maximum rate

applicable to each claimant shall be that rate in effect during the time the claimant's benefit year is established."

Sec. 5. G.S. 96-12(b)(3) is amended by deleting in line 3 after the word "benefits" the following: "prior to January 1, 1972,".

Sec. 6. G.S. 96-12(c) is amended by deleting after the word "benefit." in line 3 the remainder of the paragraph as follows:

"Such partial benefit shall be an amount which is equal to the difference between his weekly benefit amount and that part of the remuneration payable to him with respect to such week figured to the next highest dollar which is in excess of a sum equal to one-half of his weekly benefit amount."

and inserting in lieu thereof:

"Such partial benefit shall be an amount figured to the nearest multiple of one dollar which is equal to the difference between his weekly benefit amount and that part of the remuneration payable to him for such week which is in excess of one-half of his weekly benefit amount."

Sec. 7. G.S. 96-12(d) is amended by inserting after the word "Chapter" at the end of line 4 the following:

"On and after October 1, 1974, the maximum benefit amount available to eligible individuals shall be determined by dividing the individual's base period wages by his high quarter wages and multiplying that quotient by eight and two-thirds, rounding the result to the nearest whole number, and then multiplying the figure so derived by the weekly benefit amount available to that individual; provided the minimum total amount of benefits available to eligible individuals shall not be less than 13 times his weekly benefit amount, nor shall any eligible individual be entitled to more than 26 times his weekly benefit amount during any benefit year, except that such benefits may be extended further in accordance with the provisions of G.S. 96-12(e)."

Sec. 8. This act shall be in full force and effect upon its ratification.

In the General Assembly read three times and ratified, this the 3rd day of April, 1974.