

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H.B. 859  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10421-LR-102

Short Title: Unemployment Insurance Study. (Public)

Sponsors: Representative Butler.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMITTEE ON  
3 UNEMPLOYMENT INSURANCE IN NORTH CAROLINA.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.1.** Findings. – The General Assembly finds that:

- 6 (1) Recent historic events affecting the national economy have required  
7 unprecedented numbers of North Carolinians to access the State's  
8 unemployment insurance program (UI program).  
9 (2) It is imperative that the State maximize the effectiveness and efficiency of the  
10 UI program and provide benefits to workers in need that provide the level of  
11 assistance that workers need at the time they need it most.  
12 (3) Therefore, a comprehensive review of the State's UI benefits levels,  
13 administration, outcomes, and other features will guide the General Assembly  
14 toward making any modifications necessary to make the State's UI program  
15 the best in the nation.

16 **SECTION 2.1.** Committee Established. – There is established the Legislative Study  
17 Committee on Unemployment Insurance in North Carolina (Committee). The Committee shall  
18 include 13 voting members, as follows:

- 19 (1) Three persons representing employees and labor organizations in this State  
20 appointed by the Governor.  
21 (2) Three persons representing employers or trade organizations focused on the  
22 automated workplace appointed by the Governor.  
23 (3) Three persons appointed by the President Pro Tempore of the Senate,  
24 including (i) two persons who are members of the Senate at the time of  
25 appointment, at least one of whom represents the minority party, and (ii) one  
26 person from the general public.  
27 (4) Three persons appointed by the Speaker of the House of Representatives,  
28 including (i) two persons who are members of the House of Representatives  
29 at the time of appointment, at least one of whom represents the minority party,  
30 and (ii) one person from the general public.  
31 (5) One person elected to membership by the members of the Committee  
32 designated in subdivisions (1) through (4) of this subsection.

33 **SECTION 2.2.** Nonvoting Members. – The following officials or the official's  
34 designee shall serve as a nonvoting ex officio member of the Committee:

- 35 (1) The Commissioner of Labor.



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- 1 (2) The Assistant Secretary of Commerce in charge of the Division of  
2 Employment Security.  
3 (3) The State Chief Information Officer.

4 **SECTION 2.3.(a)** Charge. – The Committee is charged with studying the State's UI  
5 program with a special emphasis on comparing the features and performance of unemployment  
6 insurance administration and benefits in North Carolina to the unemployment insurance  
7 programs of other states. The Committee's examination shall include all of the following issues:

- 8 (1) A comparison of the State's UI program administration, benefits, performance,  
9 and other relevant parameters relative to the following jurisdictions having the  
10 largest populations in the nation:  
11 a. California  
12 b. Texas  
13 c. Florida  
14 d. New York  
15 e. Pennsylvania  
16 f. Illinois  
17 g. Ohio  
18 h. Georgia  
19 i. Michigan.  
20 (2) A comparison of the State's UI program administration, benefits, performance,  
21 and other relevant features relative to jurisdictions in the nation's southeast  
22 region having either different or similar characteristics:  
23 a. Alabama  
24 b. Florida  
25 c. Georgia  
26 d. Kentucky  
27 e. Mississippi  
28 f. South Carolina  
29 g. Tennessee.  
30 (3) Review of the amount of assistance that unemployed North Carolina workers  
31 need during unemployment and the most appropriate duration of benefits.  
32 (4) The current and potential future impact of continuing the State's UI program  
33 without any modifications.  
34 (5) Whether modifications, including changes related to information technology,  
35 are necessary to maximize the effectiveness and efficiency of the State's UI  
36 program.  
37 (6) Consideration of any other pertinent matter relevant to the Committee's  
38 charge.

39 **SECTION 2.3.(b)** The findings and recommendations of the Committee shall be  
40 made upon majority vote of the voting members. Any recommendation for modification of a  
41 policy, rule, or law shall be accompanied by a specific policy or legislative proposal and the  
42 estimated cost of implementing the modification.

43 **SECTION 2.4.** Terms. – Except for the person elected by the Committee, all  
44 appointing authorities shall make appointments to the Committee by October 1, 2021, and the  
45 terms of all members shall commence on October 1, 2021. The election of members shall be  
46 conducted during the initial organizational meeting of the Committee with the terms of the  
47 elected members deemed to begin on October 1, 2021.

48 **SECTION 2.5.** Organization/Administration. – The Minority Leader in the House  
49 of Representatives and the Majority Leader in the Senate shall each designate a cochair from  
50 among the voting members of the Committee. The cochair designated by the House Minority  
51 Leader shall preside over the Committee during the odd-numbered year, and the cochair

1 designated by the Senate Majority Leader shall preside in the even-numbered year. A cochair  
2 may preside at any time during the absence of the presiding cochair or upon the presiding  
3 cochair's designation. The Committee shall meet upon the call of its cochairs.

4 All voting members shall be appointed for a term of two years. Voting members may  
5 be reappointed to successive terms. A vacancy on the Committee shall be filled by the original  
6 appointing authority using the criteria for the prior appointment. Any appointment to fill a  
7 vacancy on the Committee created by the resignation, dismissal, death, disability, or  
8 disqualification of a member shall be for the balance of the unexpired term. The Governor may  
9 remove any member of the Committee for misfeasance, malfeasance, or nonfeasance, pursuant  
10 to the provisions of G.S. 143B-13.

11 Members of the Committee shall receive per diem and necessary travel and  
12 subsistence expenses in accordance with G.S. 120-3.1, 138-5, and 138-6, as applicable. The  
13 Committee may meet in the Legislative Building or the Legislative Office Building. A majority  
14 of the voting members shall constitute a quorum.

15 The Legislative Services Officer shall assign professional and clerical staff and  
16 provide other necessary resources for the Committee in its work, including the engagement of  
17 any necessary consulting services as determined by the Committee.

18 **SECTION 3.1.** Reporting. – The Committee shall submit its initial written report to  
19 the Governor and to the Joint Legislative Commission on Governmental Operations by March 1,  
20 2022. The Committee shall submit its final report prior to the convening of the 2023 General  
21 Assembly. The final report shall contain a detailed summary of findings, conclusions, and  
22 recommendations for each issue reviewed under this act.

23 **SECTION 3.2.** Expiration. – The Committee expires upon submission of the final  
24 report unless extended by the General Assembly.

25 **SECTION 4.1.** Effective Date. – This act is effective when it becomes law.