

Introduced by

Representatives B. Koppelman, K. Koppelman, Louser, D. Ruby

Senator Burckhard

1 A BILL for an Act to amend and reenact subsection 2 of section 52-04-07 of the North Dakota  
2 Century Code, relating to relief from charging of benefits paid to accounts of base-period  
3 employers that discharge individuals from employment due to undisclosed court-imposed work  
4 restrictions.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 52-04-07 of the North Dakota Century  
7 Code is amended and reenacted as follows:

- 8 2. Notwithstanding subsection 1, an employer's account may not be charged for any of  
9 the following:
  - 10 a. With benefits paid to an individual for unemployment that is directly caused by a  
11 major natural disaster declared by the president pursuant to section 102(2) of the  
12 Disaster Relief Act of 1974 [Pub. L. 93-288; 88 Stat. 143; 42 U.S.C. 5122(2)], if  
13 the individual would have been eligible for disaster unemployment assistance  
14 with respect to that unemployment but for the individual's receipt of  
15 unemployment insurance benefits.
  - 16 b. With benefits paid to an individual who:
    - 17 (1) Left the employment of the base-period employer voluntarily without good  
18 cause or with good cause not involving fault on the part of the base-period  
19 employer;
    - 20 (2) Was discharged from employment by the base-period employer for  
21 misconduct; or
    - 22 (3) Was separated from employment with the most recent employer for reasons  
23 directly attributable to domestic violence, stalking, or sexual assault.
  - 24 c. As provided under section 52-06-29.

- 1           d. With benefits paid to an individual who is in training with the approval of job  
2           service North Dakota.
- 3           e. With benefits paid to an individual who is subsequently determined not entitled to  
4           receive the benefits.
- 5           f. With benefits paid to an individual who is currently employed part time with that  
6           employer when the hiring agreement between the individual and the employer  
7           has not changed since the individual commenced work for that employer. This  
8           subdivision does not apply to an employee of a temporary help firm.
- 9           g. With benefits paid to an individual who was separated from employment with the  
10          most recent employer for reasons directly attributable to court-imposed probation  
11          or parole restrictions that limit the ability of the individual to perform services and  
12          that were undisclosed by the individual upon request by the employer at the time  
13          of hire.