

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/21/13 H4/3/13
A Bill

SENATE BILL 542

By: Senator Irvin

For An Act To Be Entitled

AN ACT TO CLARIFY THE PENALTIES FOR MAKING FALSE STATEMENTS IN APPLICATIONS FOR UNEMPLOYMENT BENEFITS; TO REQUIRE THE DEPARTMENT OF WORKFORCE SERVICES TO TRACK FALSE STATEMENTS IN APPLICATIONS FOR UNEMPLOYMENT BENEFIT; TO REQUIRE REPORTS TO THE LEGISLATIVE COUNCIL ; AND FOR OTHER PURPOSES.

Subtitle

TO CLARIFY THE PENALTIES FOR MAKING FALSE STATEMENTS IN APPLICATIONS FOR UNEMPLOYMENT BENEFITS; AND TO REQUIRE THE DEPARTMENT OF WORKFORCE SERVICES TO TRACK FALSE STATEMENTS AND TO REPORT TO THE LEGISLATIVE COUNCIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 11-10-519 is amended to read as follows:

11-10-519. Disqualification – Penalty for false statement or misrepresentation.

(a) If so found by the Director of the Department of Workforce Services, an individual shall be disqualified for benefits:

(1) If he or she willfully makes a false statement or misrepresentation of a material fact or willfully fails to disclose a material fact in filing an initial claim or a claim renewal, he or she shall be disqualified from the date of filing the claim until he or she has ten (10) weeks of employment in each of which he or she has earned wages equal to



at least his or her weekly benefit amount;

(2)(A) For any continued week claimed with respect to which the employee has willfully made a false statement or misrepresentation of a material fact or willfully fails to disclose a material fact in obtaining or attempting to obtain any benefits, and for an additional thirteen (13) weeks of unemployment, as defined in § 11-10-512, and which shall commence with Sunday of the first week with respect to which a claim is filed commencing with the week of delivery or mailing of the determination of disqualification under this section.

(B)(i) In addition to the thirteen (13) weeks of disqualification, a disqualification of three (3) weeks shall be imposed for each week of failure or falsification.

(ii)(a) Any weekly benefits payable subsequent to the date of delivery or mailing of the determination shall be ~~reduced fifty percent (50%) rounded to the next lower dollar, and the remainder of maximum benefits shall be reduced accordingly~~ terminated.

(b) The ~~reduction~~ termination shall apply only to benefits payable within the benefit year of the claim with respect to which the claimant willfully made a false statement or misrepresentation; and

(3) The disqualification shall not be applied after ~~five (5)~~ two and one-half (2 1/2) years have elapsed from the date of delivery or mailing the determination of disqualification under this section, but all overpayments established by the determination of disqualification shall be collected as otherwise provided by this chapter.

(b) Upon request of the Legislative Council, the Department of Workforce Services shall provide reports regarding unemployment insurance claim fraud and its efforts to prevent the fraud.

/s/ Irvin

APPROVED: 04/16/2013