

Stricken language would be deleted from and underlined language would be added to present law.
Act 675 of the Regular Session

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: S3/15/23 H3/29/23
A Bill

SENATE BILL 306

By: Senators J. Dismang, C. Tucker
By: Representatives Vaught, McCullough

For An Act To Be Entitled

AN ACT TO AMEND THE ASSET LIMITS FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; TO ALLOW FOR AN ADJUSTMENT TO THE ASSET LIMIT BASED UPON INFLATION; TO INCLUDE AN AUTOMATIC INFLATION ADJUSTMENT; TO DIRECT THE DEPARTMENT OF HUMAN SERVICES TO REQUEST A BROAD-BASED CATEGORICAL ELIGIBILITY WAIVER; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ASSET LIMITS FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; AND TO DIRECT THE DEPARTMENT OF HUMAN SERVICES TO REQUEST A BROAD-BASED CATEGORICAL ELIGIBILITY WAIVER.

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

SECTION 1. Arkansas Code § 20-76-115 is amended to read as follows:

20-76-115. ~~Federal resource~~ Resource limits for Supplemental Nutrition Assistance Program ~~– Resource limit waiver~~.

(a) ~~Unless required by federal law:~~

~~(1) The resource limit standards of the Supplemental Nutrition Assistance Program shall not exceed the standards specified in 7 U.S.C. § 2014(g)(1); and~~

~~(2) Categorical eligibility that exempts households from the federal resource limit standards shall not be granted for any noncash, in-~~



~~kind, or other benefit.~~

~~(b)~~ Unless required by federal law, the Department of Human Services shall not:

(1) Apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2014(c); or

(2) Grant categorical eligibility that exempts households from the gross income standard under subdivision ~~(b)(1)~~ (a)(1) of this section for any noncash, in-kind, or other benefit unless a waiver is obtained under subsection (b) of this section.

(b)(1)(A) The Department of Human Services shall request a waiver from the United States Department of Agriculture to exempt Supplemental Nutrition Assistance Program enrollees from the federal resource limit, subject to the asset limits under subdivision (b)(2) of this section.

(B) The Department of Human Services may request a broad-based categorical eligibility waiver from the United States Department of Agriculture if a waiver is necessary to implement the asset limits under subdivision (b)(2) of this section.

(2) Upon the Department of Human Services obtaining the waiver requested under subdivision (b)(1) of this section:

(A) The asset limit under the program shall be equal to the federal resource limit;

(B)(i) If an enrolled household is determined by the Department of Human Services to have accumulated countable assets greater than the federal resource limit, the Department of Human Services shall grant a temporary increase of the asset limit for that household to an amount set by the Department of Human Services by rule for a period of up to one (1) year.

(ii) The Department of Human Services shall set the temporary asset limit at five thousand five hundred dollars (\$5,500) and may seek waiver approval from the United States Department of Agriculture to modify that amount to correspond with future changes in the federal resource limit; and

(C) An enrolled household may receive a temporary increase of the asset limit no more than one (1) time every five (5) years.

APPROVED: 4/11/23