

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1218

By: Representative Cavanaugh

By: Senator K. Hammer

For An Act To Be Entitled

AN ACT REGARDING THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO RESTORE OR REIMBURSE FOR STOLEN BENEFITS IN CERTAIN CIRCUMSTANCES; TO CREATE THE CLIENT OVERPAYMENT FUND; AND FOR OTHER PURPOSES.

Subtitle

REGARDING THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO RESTORE OR REIMBURSE FOR STOLEN BENEFITS IN CERTAIN CIRCUMSTANCES; AND TO CREATE THE CLIENT OVERPAYMENT FUND.

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

SECTION 1. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended to add an additional section to read as follows:

19-6-844. Client Overpayment Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a special revenue fund to be known as the "Client Overpayment Fund".

(b) The fund shall consist of all moneys appropriated to the fund by the General Assembly.

(c) The fund shall be used by the Department of Human Services for the purposes set out in § 20-76-118.



SECTION 2. Arkansas Code Title 20, Chapter 76, Subchapter 1, is amended to add an additional section to read as follows:

20-76-118. Restoration or reimbursement for stolen Supplemental Nutrition Assistance Program Benefits.

(a) The Department of Human Services shall restore or reimburse benefits under the Supplemental Nutrition Assistance Program to a recipient whose benefits were stolen due to third-party fraud.

(b) The department shall restore or reimburse benefits to a recipient under subsection (a) of this section only if:

(1) Restoration or reimbursement is not available to the recipient by other means, including without limitation federal funds; and

(2) The recipient had no part in the fraud.

(c)(1) The Secretary of the Department of Human Services shall distribute funds from the Client Overpayment Fund in a manner that makes the best use of the funds available.

(2) Full restoration of stolen benefits may not be available, depending on the availability of funding within the fund.