

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

State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: H3/28/23  
**A Bill**

HOUSE BILL 1682

By: Representatives Andrews, *Beaty Jr.*, *M. Brown*, *McCollum*, *Pilkington*  
By: Senator *M. McKee*

### **For An Act To Be Entitled**

AN ACT TO DISQUALIFY FRAUDULENT ACTORS FROM  
UNEMPLOYMENT INSURANCE PROGRAM BENEFITS; TO ESTABLISH  
THE PROHIBITING FRAUDULENT ACTORS FROM COLLECTING  
UNEMPLOYMENT BENEFITS ACT OF 2023; AND FOR OTHER  
PURPOSES.

### **Subtitle**

TO DISQUALIFY FRAUDULENT ACTORS FROM  
UNEMPLOYMENT INSURANCE PROGRAM BENEFITS;  
AND TO ESTABLISH THE PROHIBITING  
FRAUDULENT ACTORS FROM COLLECTING  
UNEMPLOYMENT BENEFITS ACT OF 2023.

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

SECTION 1. DO NOT CODIFY. Title – Purpose.

(a) This act shall be known and may be cited as the "Prohibiting  
Fraudulent Actors from Collecting Unemployment Benefits Act of 2023".

(b) The purpose of this act is to:

(1) Prohibit an individual who commits fraud to collect or  
increase the amount of unemployment insurance program benefits paid to him or  
her from being eligible for unemployment insurance program benefits for a  
period of ten (10) years; and

(2) Require full repayment of fraudulently obtained unemployment  
insurance program benefits plus a twenty percent (20%) penalty.



SECTION 2. Arkansas Code Title 11, Chapter 10, Subchapter 5, is amended to add an additional section to read as follows:

11-10-545. Fraudulent actions – Disqualification – Definition.

(a) As used in this section, "unemployment fraud" means the actions of a claimant who knowingly submits false information to the Division of Workforce Services for the purpose of:

(1) Establishing eligibility for unemployment insurance program benefits;

(2) Collecting unemployment insurance program benefits to which the claimant would not otherwise be entitled; or

(3) Improperly increasing the amount of his or her weekly benefit.

(b) If the Director of the Division of Workforce Services finds that claimant committed unemployment fraud, the director shall refer the violation to the prosecuting attorney of the judicial circuit where the claim was filed for unemployment fraud.

(c) If the director determines that an individual has committed unemployment fraud, then the individual shall:

(1) Repay all unemployment insurance program benefits obtained as a result of the unemployment fraud;

(2) Be assessed a penalty of twenty percent (20%) of the amount of the unemployment insurance program benefits; and

(2) Be ineligible to receive unemployment insurance program benefits for a period of ten (10) years from the date the fraud is discovered or until the unemployment insurance program benefits obtained as a result of the unemployment fraud and the twenty percent (20%) penalty are repaid, whichever is later.

(d) The director may recover unemployment insurance program benefits obtained by fraud through:

(1) The federal Treasury Offset Program of the Bureau of the Fiscal Service of the United States Department of the Treasury; or

(2) A state tax offset program established in coordination with the Revenue Division of the Department of Finance and Administration.

*/s/Andrews*