

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

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

A Bill

SENATE BILL 542

5 By: Senator Irvin
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For An Act To Be Entitled

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

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16 TO CLARIFY THE PENALTIES FOR MAKING FALSE
17 STATEMENTS IN APPLICATIONS FOR
18 UNEMPLOYMENT BENEFITS; AND TO REQUIRE THE
19 DEPARTMENT OF WORKFORCE SERVICES TO TRACK
20 FALSE STATEMENTS AND TO REPORT TO THE
21 LEGISLATIVE COUNCIL.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 11-10-519 is amended to read as follows:

28 11-10-519. Disqualification – Penalty for false statement or
29 misrepresentation.

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

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



1 at least his or her weekly benefit amount;

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

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

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

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

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

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

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29 /s/ Irvin
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