

1 State of Arkansas
2 93rd General Assembly
3 First Extraordinary Session, 2021
4

A Bill

Call Item 2 and 3
SENATE BILL 1

5 By: Senator J. Dismang
6 By: Representative Wardlaw
7

For An Act To Be Entitled

9 AN ACT CONCERNING UNEMPLOYMENT COMPENSATION; TO
10 MODIFY THE DIVISION OF WORKFORCE SERVICES LAW; TO
11 CLARIFY THE LAW CONCERNING THE STATE'S PARTICIPATION
12 IN FEDERALLY FUNDED UNEMPLOYMENT PROGRAMS OFFERED ON
13 A VOLUNTARY OR OPTIONAL BASIS; TO TERMINATE THE
14 STATE'S PARTICIPATION IN CERTAIN FEDERAL UNEMPLOYMENT
15 PROGRAMS; TO DECLARE AN EMERGENCY; AND FOR OTHER
16 PURPOSES.

Subtitle

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19 TO CLARIFY THE LAW CONCERNING THE STATE'S
20 PARTICIPATION IN CERTAIN FEDERALLY FUNDED
21 UNEMPLOYMENT PROGRAMS; TO TERMINATE THE
22 STATE'S PARTICIPATION IN CERTAIN FEDERAL
23 UNEMPLOYMENT PROGRAMS; AND TO DECLARE AN
24 EMERGENCY.
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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30 SECTION 1. DO NOT CODIFY. Termination of participation – Legislative
31 intent.

32 It is the intent of the General Assembly to:

33 (1) Concur with and approve the Governor's decision stated in
34 his letter dated May 7, 2021, to the Director of the Division of Workforce
35 Services terminating the State of Arkansas's participation in:

36 (A) The Federal Pandemic Unemployment Compensation



1 program, 15 U.S.C. § 9023;

2 (B) The Pandemic Unemployment Assistance program, 15
3 U.S.C. § 9021;

4 (C) The Pandemic Emergency Unemployment Compensation
5 program, 15 U.S.C. § 9025;

6 (D) The Mixed Earner Unemployment Compensation program, 15
7 U.S.C. § 9023;

8 (E) The Emergency Unemployment Relief for Governmental
9 Entities and Nonprofit Organizations program, 42 U.S.C. § 1103; and

10 (F) The Temporary Full Federal Funding of the First Week
11 of Compensable Regular Unemployment for States with No Waiting Week program,
12 15 U.S.C. § 9024; and

13 (2) Concur with and approve the notice of intent to terminate
14 the Agreement Implementing the Relief for Workers Affected by Coronavirus Act
15 between the United States Department of Labor and the State of Arkansas
16 transmitted by the Director of the Division of Workforce Services to the
17 United States Department of Labor on May 19, 2021, with such termination to
18 be effective as provided for therein.

19
20 SECTION 2. Arkansas Code § 11-10-311 is amended to read as follows:

21 11-10-311. Employment stabilization.

22 (a) The Director of the Division of Workforce Services shall take all
23 appropriate steps to reduce and prevent unemployment, to encourage and assist
24 in the adoption of practical methods of vocational training, retraining, and
25 vocational guidance, to investigate, recommend, advise, and assist in the
26 establishment and operation by municipalities, counties, planning districts,
27 school districts, and the state of programs for public works to be used in
28 times and places of economic downturn and high unemployment for the purpose
29 of promoting the employment of unemployed and underemployed workers
30 throughout the state, and to these ends, to carry on research and such
31 investigations as he or she shall deem necessary and to publish the results
32 thereof.

33 (b) Subsection (a) of this section shall be construed as taking
34 precedence over other provisions of this chapter.

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36 SECTION 3. Arkansas Code § 11-10-312 is amended to read as follows:

1 11-10-312. Federal-state cooperation.

2 (a) In the administration of this chapter, the Director of the
3 Division of Workforce Services shall cooperate with the United States
4 Department of Labor to the fullest extent consistent with ~~the provisions of~~
5 this chapter and ~~shall~~ may take such action, through the adoption of such
6 appropriate rules, administrative methods, and standards as may be necessary
7 to secure to this state and its citizens all advantages available under ~~the~~
8 ~~provisions of~~ the Social Security Act that relate to unemployment
9 compensation, the Federal Unemployment Tax Act, the Wagner-Peyser Act, and
10 the Federal-State Extended Unemployment Compensation Act of 1970.

11 (b) In the administration of ~~the provisions in~~ §§ 11-10-534 – 11-10-
12 543, which are enacted to conform with the requirements of the Federal-State
13 Extended Unemployment Compensation Act of 1970, the director ~~shall~~ may take
14 such action as may be necessary to:

15 (1) Ensure that the provisions are so interpreted and applied as
16 to meet the requirements of the federal act referred to in this subsection as
17 interpreted by the United States Department of Labor; and

18 (2) Secure To the extent benefits do not conflict with § 11-10-
19 311 and to the extent the director in his or her discretion deems it
20 necessary, secure to this state the full reimbursement of the federal share
21 of extended benefits paid under this chapter that are reimbursable under the
22 federal act referred to in this subsection.

23 (c) This section does not:

24 (1) Require the director to participate in, nor preclude the
25 director from ceasing to participate in, any voluntary, optional, special, or
26 emergency program offered by the United States Government, including without
27 limitation programs offered under the Social Security Act, the Federal
28 Unemployment Tax Act, the Wagner-Peyser Act, the Federal-State Extended
29 Unemployment Compensation Act of 1970, the Coronavirus Aid, Relief, and
30 Economic Security Act, or any other federal program enacted to address
31 exceptional unemployment conditions; or

32 (2) Conflict with § 11-10-105 or § 11-10-311.

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34 SECTION 4. DO NOT CODIFY. Retroactivity. This act is retroactive to
35 May 19, 2021.

