

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

SENATE BILL 381

4  
5 By: Senator Steele

## For An Act To Be Entitled

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8  
9 AN ACT TO CREATE THE ARKANSAS WORK PAYS PROGRAM;  
10 AND FOR OTHER PURPOSES.

## Subtitle

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12  
13 AN ACT TO CREATE THE ARKANSAS WORK PAYS  
14 PROGRAM.

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16  
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18  
19 SECTION 1. Arkansas Code § 20-76-410(b), concerning administrative  
20 sanctions under the Transitional Employment Assistance Program, is amended to  
21 read as follows:

22 (b) The ~~Department of Human Services~~ Arkansas Employment Security  
23 Department may by regulation define additional situations that require  
24 sanction, establish additional sanctions, and provide for administrative  
25 disqualification.

26  
27 SECTION 2. Arkansas Code § 20-76-410(c)(1)(B) , concerning  
28 administrative sanctions under the Transitional Employment Assistance  
29 Program, is amended to read as follows:

30 (B) If the parent fails to come into compliance in thirty  
31 (30) days, the family's financial assistance may be reduced:

32 (i) By up to twenty-five percent (25%) for the  
33 second ~~and third~~ through sixth months of noncompliance;

34 (ii) By up to fifty percent (50%) ~~in the fourth~~  
35 ~~through sixth months of noncompliance; and~~

36 ~~(iii) By up to one hundred percent (100%) after the~~



1 sixth month of noncompliance.

2

3 SECTION 3. Arkansas Code Title 20, Chapter 76, Subchapter 4 is amended  
4 to add additional sections to read as follows:

5 20-76-444. Arkansas Work Pays Program -- Created -- Duties.

6 (a)(1) There is created the Arkansas Work Pays Program.

7 (2) The Arkansas Work Pays Program shall be administered by the  
8 Arkansas Employment Security Department.

9 (3) Eligible applicants to the program shall receive one (1) or  
10 more of the following:

11 (A) Cash assistance;

12 (B) Support services;

13 (C) Medical assistance; and

14 (D) Employment assistance.

15 (b) Eligibility for assistance under the Arkansas Work Pays Program is  
16 limited to applicants or participants who:

17 (1) Have care and custody of a related minor child;

18 (2) Reside in the State of Arkansas at the time of application  
19 for assistance and during the period of assistance;

20 (3) Apply for program assistance within six (6) months of  
21 leaving the Transitional Employment Assistance Program after at least three  
22 (3) months of Transitional Employment Assistance Program assistance;

23 (4) Have not received more than twenty-four (24) months of  
24 Arkansas Work Pays Program benefits;

25 (5) Were engaged:

26 (A) In paid work activities for a minimum of twenty-four  
27 (24) hours per week and met the federal work participation requirement for the  
28 past month; or

29 (B) In the case of continuing eligibility, in paid work  
30 activities for a minimum of twenty-four (24) hours per week and met the  
31 federal work participation requirement for one (1) of the past three (3)  
32 months and for at least three (3) of the past six (6) months;

33 (6) Are:

34 (A) Citizens of the United States;

35 (B) Qualified aliens lawfully present in the United States  
36 before August 22, 1996;

1                   (C) Qualified aliens who physically entered the United  
2 States on or after August 22, 1996, and have been in qualified immigrant  
3 status for at least five (5) years; or

4                   (D) Aliens to whom benefits under Temporary Assistance for  
5 Needy Families must be provided under federal law;

6                   (7) Have income below the federal poverty level; and

7                   (8) Sign and comply with a personal responsibility agreement.

8           (c) Families participating in the Arkansas Work Pays Program shall  
9 receive monthly cash assistance equal to the maximum monthly Transitional  
10 Employment Assistance Program benefit for a family of three (3) with no  
11 earned income.

12           (d) Families participating in the Arkansas Work Pays Program shall be  
13 eligible for the same support services and assistance as families enrolled in  
14 the Transitional Employment Assistance Program.

15           (e) The Arkansas Employment Security Department shall administer a  
16 work incentive program that includes cash bonuses and other financial  
17 incentives to encourage:

18                   (1) Transitional Employment Assistance Program recipients to  
19 leave the Transitional Employment Assistance Program and move into the  
20 Arkansas Work Pays Program;

21                   (2) Arkansas Work Pays Program participants to stay employed for  
22 at least twenty-four (24) hours a week; and

23                   (3) Arkansas Work Pays Program participants to leave the  
24 Arkansas Work Pays Program and continue employment for at least twenty-four  
25 (24) hours per week.

26           (f)(1) The Arkansas Employment Security Department shall work with  
27 local workforce offices to develop and administer services to Arkansas Work  
28 Pays Program participants designed to help them move into higher-paying jobs  
29 available in their regions.

30                   (2) These services may include:

31                           (A) Employment exchanges;

32                           (B) Education and training;

33                           (C) Work supports; and

34                           (D) Other services designed to help Arkansas Work Pays  
35 Program participants increase their earnings and develop careers.

36                   (3) The Arkansas Employment Security Department may make these

1 services available to low-income workers who are not participating in the  
2 Arkansas Work Pays Program.

3 (g) The Arkansas Employment Security Department may contract with the  
4 Department of Human Services for administrative services related to  
5 eligibility and payments.

6 (h) The Arkansas Employment Security Department shall make  
7 arrangements with the Department of Human Services to facilitate  
8 participants' enrollment in the Arkansas Work Pays Program after they leave  
9 the Transitional Employment Assistance Program.

10 (i)(1) The Arkansas Employment Security Department shall promulgate  
11 regulations establishing the Arkansas Work Pays Program by May 31, 2005.

12 (2) The regulations shall be subject to review, recommendation,  
13 and approval by the Arkansas Transitional Employment Board.

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15 20-76-445. High Wage Education and Training Initiative.

16 (a) The Arkansas Employment Security Department shall work jointly  
17 with the Department of Higher Education and the Arkansas Workforce Investment  
18 Board to develop the High Wage Education and Training Initiative.

19 (b) Under the High Wage Education and Training Initiative, the  
20 Arkansas Employment Security Department shall contract to provide education  
21 and training resulting in job training certificates or higher education  
22 degrees for Transitional Employment Assistance Program participants and other  
23 low-income adults with:

24 (1) State agencies;

25 (2) Two-year technical institutions;

26 (3) Local governments; or

27 (4) Private or community organizations.

28 (B) The initiative may use available Temporary Assistance  
29 for Needy Families funds for participants who have custody or legal  
30 responsibility for a child under twenty-one (21) years of age and whose  
31 family income is less than two hundred fifty (250%) of the federal poverty  
32 level.

33 (C) The job training certificate and degree programs shall  
34 provide short-term training designed to prepare low-income parents and others  
35 for jobs that:

36 (i) Pay significantly more than minimum wage; and

1                   (ii) Are available in the area.

2                   (D) The projects shall be designed in consultation with  
3 local employers and workforce investment boards to identify appropriate job  
4 opportunities and needed skills and training.

5                   (E) Contracts shall include performance-based payments  
6 keyed to enrollments, completion, job placement, and job retention.

7                   (F) Temporary Assistance for Needy Families may be  
8 combined with other state and federal funds in ways consistent with federal  
9 laws and rules.

10

11           20-76-446. Community Investment Initiative.

12           (a)(1) There is created the Community Investment Initiative.

13                   (2) The Arkansas Transitional Employment Board and the Arkansas  
14 Employment Security Department shall jointly develop the Community Investment  
15 Initiative.

16                   (b) The Community Investment Initiative shall contract with private or  
17 community organizations, including faith-based organizations, to offer  
18 services and support to parents, children, and youth in their communities.

19                   (c) The Community Investment Initiative may fund programs for the  
20 following purposes:

21                           (1) Improving outcomes for youth, including, but not limited to:

22                                   (A) Academic achievement;

23                                   (B) Job skills;

24                                   (C) Civic participation and community involvement; and

25                                   (D) Reducing risky behaviors such as sexual activities,  
26 drug use, and criminal behavior;

27                           (2) Improving parenting and family functioning through services  
28 and support to parents, children, and to families;

29                           (3) Improving marriage and relationship skills among youth and  
30 engaged and married couples;

31                           (4) Improving the financial and emotional connections of non-  
32 custodial parents to their children through fatherhood programs;

33                           (5) Improving the employment skills and family connections of  
34 parents who leave state jails and prisons; and

35                           (6) Other purposes allowable under the federal Temporary  
36 Assistance for Needy Families program.

1       (d)(1) The Arkansas Transitional Employment Board shall contract with  
2 state agencies or community organizations to provide training and capacity  
3 building services to organizations eligible to apply for Community Investment  
4 Initiative funds.

5               (2) Contracts may be let for the following purposes:

6                       (A) Assisting in the development of proposals to the  
7 Community Investment Initiative Fund;

8                       (B) Preparing organizations for the fiscal  
9 responsibilities involved in receiving and spending state and federal funds;

10                      (C) Improving the provision of services by contractors  
11 receiving funds from the Community Investment Initiative Fund; and

12                      (D) Use of Temporary Assistance for Needy Families funds  
13 for the Community Investment Initiative as appropriated by the General  
14 Assembly.

15       (e) Awards under the Community Investment Initiative shall be made  
16 competitively.

17       (f) Contracts shall include performance-based payments keyed to  
18 participation in services and specified outcomes.

19       (g) Temporary Assistance for Needy Families may be combined with other  
20 state, federal, and other funds in ways consistent with federal laws and  
21 rules.

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23       20-46-447. Community Investment Initiative Fund.

24       (a) There is created on the books of the Treasurer of State, Auditor  
25 of State, and Chief Fiscal Officer of the State a special revenue fund to be  
26 known as the "Community Investment Initiative Fund".

27       (b)(1) All moneys collected under the Community Investment Initiative  
28 Fund shall be deposited into the State Treasury to the credit of the fund as  
29 special revenues.

30       (2) The fund shall also consist of any other revenues as may be  
31 authorized by law.

32       (c) The fund shall be used by the Community Investment Initiative for  
33 the purposes set out in §20-76-446.

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