

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023

# A Bill

HOUSE BILL 1682

4  
5 By: Representative Andrews  
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## For An Act To Be Entitled

8 AN ACT TO DISQUALIFY FRAUDULENT ACTORS FROM  
9 UNEMPLOYMENT INSURANCE PROGRAM BENEFITS; TO ESTABLISH  
10 THE PROHIBITING FRAUDULENT ACTORS FROM COLLECTING  
11 UNEMPLOYMENT BENEFITS ACT OF 2023; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

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16 TO DISQUALIFY FRAUDULENT ACTORS FROM  
17 UNEMPLOYMENT INSURANCE PROGRAM BENEFITS;  
18 AND TO ESTABLISH THE PROHIBITING  
19 FRAUDULENT ACTORS FROM COLLECTING  
20 UNEMPLOYMENT BENEFITS ACT OF 2023.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. DO NOT CODIFY. Title – Purpose.

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

28 (b) The purpose of this act is to:

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

33 (2) Require full repayment of fraudulently obtained unemployment  
34 insurance program benefits plus a twenty percent (20%) penalty.  
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36 SECTION 2. Arkansas Code Title 11, Chapter 10, Subchapter 5, is



1 amended to add an additional section to read as follows:

2 11-10-545. Fraudulent actions – Disqualification – Definition.

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

6 (1) Establishing eligibility for unemployment insurance program  
7 benefits;

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

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

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

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

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

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

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

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

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

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

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