

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

1 State of Arkansas As Engrossed: S3/15/23 H3/29/23

2 94th General Assembly

A Bill

3 Regular Session, 2023

SENATE BILL 306

4

5 By: Senators J. Dismang, C. Tucker

6 By: Representatives Vaught, McCullough

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For An Act To Be Entitled

9 AN ACT TO AMEND THE ASSET LIMITS FOR THE SUPPLEMENTAL
10 NUTRITION ASSISTANCE PROGRAM; TO ALLOW FOR AN
11 ADJUSTMENT TO THE ASSET LIMIT BASED UPON INFLATION;
12 TO INCLUDE AN AUTOMATIC INFLATION ADJUSTMENT; TO
13 DIRECT THE DEPARTMENT OF HUMAN SERVICES TO REQUEST A
14 BROAD-BASED CATEGORICAL ELIGIBILITY WAIVER; AND FOR
15 OTHER PURPOSES.

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Subtitle

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

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SECTION 1. Arkansas Code § 20-76-115 is amended to read as follows:

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20-76-115. ~~Federal resource~~ Resource limits for Supplemental Nutrition

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Assistance Program - Resource limit waiver.

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(a) ~~Unless required by federal law:~~

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~~(1) The resource limit standards of the Supplemental Nutrition~~

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~~Assistance Program shall not exceed the standards specified in 7 U.S.C. §~~

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~~2014(g)(1); and~~

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~~(2) Categorical eligibility that exempts households from the~~

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~~federal resource limit standards shall not be granted for any noncash, in-~~



1 ~~kind, or other benefit.~~

2 ~~(b)~~ Unless required by federal law, the Department of Human Services
3 shall not:

4 (1) Apply gross income standards for food assistance higher than
5 the standards specified in 7 U.S.C. § 2014(c); or

6 (2) Grant categorical eligibility that exempts households from
7 the gross income standard under subdivision ~~(b)(1)~~ (a)(1) of this section for
8 any noncash, in-kind, or other benefit unless a waiver is obtained under
9 subsection (b) of this section.

10 (b)(1)(A) The Department of Human Services shall request a waiver from
11 the United States Department of Agriculture to exempt Supplemental Nutrition
12 Assistance Program enrollees from the federal resource limit, subject to the
13 asset limits under subdivision (b)(2) of this section.

14 (B) The Department of Human Services may request a broad-
15 based categorical eligibility waiver from the United States Department of
16 Agriculture if a waiver is necessary to implement the asset limits under
17 subdivision (b)(2) of this section.

18 (2) Upon the Department of Human Services obtaining the waiver
19 requested under subdivision (b)(1) of this section:

20 (A) The asset limit under the program shall be equal to
21 the federal resource limit;

22 (B)(i) If an enrolled household is determined by the
23 Department of Human Services to have accumulated countable assets greater
24 than the federal resource limit, the Department of Human Services shall grant
25 a temporary increase of the asset limit for that household to an amount set
26 by the Department of Human Services by rule for a period of up to one (1)
27 year.

28 (ii) The Department of Human Services shall set the
29 temporary asset limit at five thousand five hundred dollars (\$5,500) and may
30 seek waiver approval from the United States Department of Agriculture to
31 modify that amount to correspond with future changes in the federal resource
32 limit; and

33 (C) An enrolled household may receive a temporary increase
34 of the asset limit no more than one (1) time every five (5) years.

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36 /s/J. Dismang