

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025

A Bill

HOUSE BILL 1909

4
5 By: Representative Long
6
7

For An Act To Be Entitled

8
9 AN ACT REGARDING PUBLIC ASSISTANCE; TO CREATE THE
10 PUBLIC SERVICES ONLY FOR CITIZENS ACT; TO REQUIRE
11 VERIFICATION OF CITIZENSHIP AND RESIDENCY IN ORDER TO
12 RECEIVE PUBLIC ASSISTANCE; AND FOR OTHER PURPOSES.
13

Subtitle

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16 TO CREATE THE PUBLIC SERVICES ONLY FOR
17 CITIZENS ACT; AND TO REQUIRE
18 VERIFICATION OF CITIZENSHIP AND
19 RESIDENCY IN ORDER TO RECEIVE PUBLIC
20 ASSISTANCE.
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. DO NOT CODIFY. Title.

25 This act shall be known and may be cited as the "Public Services Only
26 for Citizens Act".
27

28 SECTION 2. Arkansas Code Title 20, Chapter 76, is amended to add an
29 additional subchapter to read as follows:

30 Subchapter 9 – Citizenship and Residency Verification

31
32 20-76-901. Definitions.

33 As used in this subchapter:

34 (1)(A) "Federal public benefit" means the same as defined in 8
35 U.S.C. § 1611(c), as it existed on January 1, 2025.

36 (B) "Federal public benefit" does not include a benefit



1 listed in 8 U.S.C. § 1611(b), as it existed on January 1, 2025;

2 (2) "Political subdivision" means:

3 (A) A local governmental entity, including without
 4 limitation a municipality, metropolitan government, county, utility district,
 5 school district, public building authority, or development district, created
 6 and existing under the laws of this state; or

7 (B) An instrumentality of government created by one (1) or
 8 more of the local governmental entities named under subdivision (2)(A) of
 9 this section;

10 (3) "State agency" means any agency, department, board,
 11 commission, or other body that carries out state functions and programs; and

12 (4)(A) "State or local public benefit" means the same as defined
 13 in 8 U.S.C. § 1621(c), as it existed on January 1, 2025.

14 (B) "State or local public benefit" does not include a
 15 benefit listed in 8 U.S.C. § 1621(b), as it existed on January 1, 2025.

16
 17 20-76-902. Verification of citizenship of applicants.

18 (a) Except if prohibited by federal law, a state agency or political
 19 subdivision shall verify that each applicant who is eighteen (18) years of
 20 age or older who applies for a federal public benefit or a state or local
 21 public benefit from the state agency or political subdivision:

22 (A) Is a United States citizen; and

23 (B) Resides in this state as provided in this subchapter.

24 (b)(1) A state agency or political subdivision shall include on all
 25 electronic or other forms and on all automated phone systems a written or
 26 verbal statement:

27 (A) Requiring an applicant for a federal public benefit or
 28 a state or local public benefit to attest to the applicant's status as a
 29 United States citizen under penalty of perjury; and

30 (B) Describing the penalties for violations of this
 31 subchapter.

32 (2) Subdivision (b)(1) of this section shall be implemented upon
 33 the state agency's or political subdivision's first reprinting of applicable
 34 forms or updating of the electronic or automated phone systems.

35 (c) For an applicant who claims United States citizenship, the state
 36 agency or political subdivision shall make every reasonable effort to

1 ascertain verification of the applicant's citizenship, including without
 2 limitation requesting the applicant present one (1) of the following:

3 (1) A state or United-States-territory-issued certified birth
 4 certificate;

5 (2) A Certification of Birth Abroad of a Citizen of the United
 6 States;

7 (3) A Consular Report of Birth Abroad of a United States
 8 Citizen;

9 (4) A Certificate of Naturalization; or

10 (5) A successor document of the documents under subdivisions
 11 (c)(1)–(c)(4) of this section.

12 (d) A state agency or political subdivision shall maintain a copy of
 13 all documentation submitted by an applicant under this subchapter for
 14 verification in a manner consistent with the state agency's or political
 15 subdivision's rules or policies governing storage or preservation of
 16 documentation.

17 (e) For an applicant who claims to reside in this state, the state
 18 agency or political subdivision shall make every reasonable effort to
 19 ascertain verification of the applicant's residency, including without
 20 limitation requesting the applicant present one (1) of the following:

21 (1) A utility bill in the applicant's name from at least six (6)
 22 months before the application;

23 (2) A bank statement in the applicant's name from at least six
 24 (6) months before the application;

25 (3) An Arkansas driver's license issued in the six (6) months
 26 before the application; or

27 (4) A state-issued identification card issued in the six (6)
 28 months before the application.

29 (f)(1)(A) A document submitted under subsection (c) of this section
 30 shall be presumed to be proof of an applicant's eligibility under this
 31 subchapter until a final verification is received by the state agency or
 32 political subdivision.

33 (B) A state agency or political subdivision shall not
 34 delay the distribution of a federal public benefit or state or local benefit
 35 based solely on the pendency of final verification.

36 (2) Upon receipt of a final verification that indicates that the

1 applicant is not a United States citizen, the state agency or political
2 subdivision shall:

3 (A) Terminate any recurring federal public benefit and
4 state or local benefit; and

5 (B) Pursue any applicable action against the applicant.

6 (g) The verification required by this section shall be enforced
7 without regard to race, religion, gender, ethnicity, or national origin.

8 (h) Verification provided under this subchapter shall be reconsidered
9 by a state agency or political subdivision as frequently as the state agency
10 or political subdivision deem necessary.

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12 20-76-903. Penalties.

13 (a)(1) A state or local public benefit or a federal public benefit
14 that is provided to an individual who is not a United States citizen is
15 recoverable by the state as a debt due the state.

16 (2) An individual who receives a state or local benefit or a
17 federal public benefit who is not a United States citizen shall be prosecuted
18 for theft of public benefits under § 5-36-202.

19 (b) If an individual withholds or falsifies information that may
20 result in the withdrawal of a federal public benefit or a state or local
21 public benefit due to the individual's status as a non-citizen of the United
22 States, then the individual may be prosecuted for any offense he or she
23 committed.

24 (c)(1) A state agency or political subdivision shall close an
25 individual's open case for a federal public benefit or a state or local
26 public benefit upon a judicial order or administrative determination that the
27 individual is not a United States citizen.

28 (2)(A) A case closed under subdivision (c)(1) of this section
29 shall remain closed.

30 (B) An individual whose case is closed under subdivision
31 (c)(1) of this section shall remain ineligible to receive a federal public
32 benefit or a state or local public benefit.

33
34 20-76-904. Reporting.

35 A state agency or political subdivision that provides federal public
36 benefits or state and local public benefits shall report annually at the end

1 of the fiscal year to the Legislative Council and the Governor on the results
2 of the verification requirements under this subchapter.

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