

103^D CONGRESS
1ST SESSION

H. R. 274

To amend title II of the Social Security Act to provide that an applicant for old-age, wife's, husband's, or child's insurance benefits who under present law does not qualify for a benefit for the first month in which he or she meets the applicable entitlement conditions shall be entitled to a prorated benefit for that month.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. McCOLLUM introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to provide that an applicant for old-age, wife's, husband's, or child's insurance benefits who under present law does not qualify for a benefit for the first month in which he or she meets the applicable entitlement conditions shall be entitled to a prorated benefit for that month.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. IMMEDIATE ENTITLEMENT TO BENEFITS IN**
4 **PRORATED AMOUNT FOR FIRST MONTH IN**
5 **WHICH REQUIREMENTS ARE MET.**

6 (a) OLD-AGE INSURANCE BENEFITS.—

1 (1) IMMEDIATE ENTITLEMENT.—The first sen-
2 tence of section 202(a) of the Social Security Act
3 (42 U.S.C. 402(a)) is amended by striking “begin-
4 ning with—” and all that follows and inserting the
5 following: “beginning with the first month in which
6 such individual meets the criteria specified in para-
7 graphs (1), (2), and (3) and ending with the month
8 preceding the month in which he or she dies.”.

9 (2) PRORATION FOR FIRST MONTH.—The sec-
10 ond sentence of section 202(a) of such Act (42
11 U.S.C. 402(a)) is amended by inserting before the
12 period at the end the following: “; except that, in the
13 case of an individual who has attained age 62 but
14 has not attained retirement age (as defined in sec-
15 tion 216(1)), the benefit for the first month in which
16 he or she meets the criteria specified in paragraphs
17 (1), (2), and (3) of this subsection shall be equal to
18 an amount which bears the same ratio to the benefit
19 which would be determined for such individual under
20 the preceding provisions of this sentence as the num-
21 ber of days in such month on which he or she meets
22 such criteria bears to 30”.

23 (b) WIFE’S INSURANCE BENEFITS.—

24 (1) IMMEDIATE ENTITLEMENT.—Section
25 202(b)(1) of such Act (42 U.S.C. 402(b)(1)) is

1 amended by striking “beginning with—” and all
2 that follows through “ending with” (in the matter
3 between subparagraphs (D) and (E)) and inserting
4 the following: “beginning with the first month in
5 which she meets the criteria specified in subpara-
6 graphs (A), (B), (C), and (D) and ending with”.

7 (2) PRORATION FOR FIRST MONTH.—Section
8 202(b)(2) of such Act (42 U.S.C. 402(b)(2)) is
9 amended by inserting before the period at the end
10 the following: “; except that, in the case of a wife
11 or divorced wife who has not attained retirement age
12 (as defined in section 216(1)) or whose husband (or,
13 in the case of a divorced wife, whose former hus-
14 band) is entitled to disability insurance benefits, the
15 benefit for the first month in which she meets the
16 criteria specified in subparagraphs (A), (B), (C) and
17 (D) of paragraph (1) shall be equal to an amount
18 which bears the same ratio to the benefit which
19 would be determined for her under the preceding
20 provisions of this paragraph as the number of days
21 in such month on which she meets such criteria
22 bears to 30”.

23 (c) HUSBAND’S INSURANCE BENEFITS.—

24 (1) IMMEDIATE ENTITLEMENT.—Section
25 202(c)(1) of such Act (42 U.S.C. 402(c)(1)) is

1 amended by striking “beginning with—” and all
2 that follows through “ending with” (in the matter
3 between subparagraphs (D) and (E)) and inserting
4 the following: “beginning with the first month in
5 which he meets the criteria specified in subpara-
6 graphs (A), (B), (C), and (D) and ending with”.

7 (2) PRORATION FOR FIRST MONTH.—Section
8 202(c)(3) of such Act (42 U.S.C. 402(c)(3)) is
9 amended by inserting before the period at the end
10 the following: “; except that, in the case of a hus-
11 band or divorced husband who has not attained re-
12 tirement age (as defined in section 216(1)) or whose
13 wife (or, in the case of a divorced husband, whose
14 former wife) is entitled to disability insurance bene-
15 fits, the benefit for the first month in which he
16 meets the criteria specified in subparagraphs (A),
17 (B), (C) and (D) of paragraph (1) shall be equal to
18 an amount which bears the same ratio to the benefit
19 which would be determined for him under the pre-
20 ceding provisions of this paragraph as the number of
21 days in such month on which he meets such criteria
22 bears to 30”.

23 (d) CHILD’S INSURANCE BENEFITS.—

24 (1) IMMEDIATE ENTITLEMENT.—The first sen-
25 tence of section 202(d)(1) of such Act (42 U.S.C.

1 402(d)(1)) is amended by striking “beginning
2 with—” and all that follows through “ending with”
3 (in the matter between subparagraphs (D) and (E))
4 and inserting the following: “beginning with the first
5 month in which such meets the criteria specified in
6 subparagraphs (A), (B), and (C) and ending with”.

7 (2) PRORATION FOR FIRST MONTH.—The first
8 sentence of section 202(d)(2) of such Act (42 U.S.C.
9 402(d)(2)) is amended by inserting before the period
10 at the end the following: “; except that the benefit
11 for the first month in which the child meets the cri-
12 teria specified in subparagraphs (A), (B), and (C) of
13 paragraph (1) shall be equal to an amount which
14 bears the same ratio to the benefit which would be
15 determined for the child under the preceding provi-
16 sions of this sentence as the number of days in such
17 month on which the child meets such criteria bears
18 to 30”.

19 **SEC. 2. EFFECTIVE DATE.**

20 The amendments made by this Act shall apply only
21 with respect to individuals whose first month of entitle-
22 ment to benefits under subsection (a), (b), (c), or (d) of
23 section 202 of the Social Security Act (determined without
24 regard to section 202(j)(1) of such Act) is a month after
25 the month in which this Act is enacted.

