

103^D CONGRESS
1ST SESSION

H. R. 285

To amend title 10, United States Code, to authorize voluntary withholding of State income tax from monthly annuity payments under programs providing annuities for survivors of retired members of the uniformed services.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mrs. MORELLA introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to authorize voluntary withholding of State income tax from monthly annuity payments under programs providing annuities for survivors of retired members of the uniformed services.

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. VOLUNTARY WITHHOLDING OF STATE INCOME**

4 **TAX FROM MILITARY SURVIVOR BENEFIT AN-**
5 **NUITY PAYMENTS.**

6 (a) AUTHORITY FOR WITHHOLDING.—Subsection (a)
7 of section 1045 of title 10, United States Code, is amend-

1 ed by inserting “, or from the monthly annuity payment
2 of any annuity beneficiary,” after “entitled to such pay”.

3 (b) DEFINITIONS.—Subsection (e) of such section is
4 amended by adding at the end the following:

5 “(3) The term ‘annuity payment’ means a pay-
6 ment made under a program providing annuities for
7 survivors of members and former members of the
8 uniformed services, including chapter 73 of this title,
9 section 4 of Public Law 92–425, section 5 of Public
10 Law 96–402, and section 653 of the National De-
11 fense Authorization Act, Fiscal Year 1989 (Public
12 Law 100–456; 10 U.S.C. 1448 note).

13 “(4) The term ‘annuity beneficiary’ means a
14 beneficiary of a program referred to in paragraph
15 (3).

16 “(5) The term ‘member’ includes a former
17 member entitled to retired pay under chapter 67 of
18 this title.”.

19 (c) CONFORMING AMENDMENTS.—

20 (1) Such section is further amended—

21 (A) in subsection (a), by striking “or
22 former member”;

23 (B) in subsections (b) and (c), by striking
24 “former member” each place it appears and in-
25 serting “annuity beneficiary”; and

1 (C) in subsection (d)—

2 (i) in paragraph (1)—

3 (I) by striking “former member”;

4 and

5 (II) by inserting “, or any annu-

6 ity beneficiary entitled to monthly an-

7 nuity payments,” after “retired or re-

8 tainer pay”; and

9 (ii) in paragraphs (2) and (3), by in-

10 sserting “or from monthly annuity pay-

11 ments” after “retired or retainer pay”.

12 (2) The heading of such section is amended to

13 read as follows:

14 **“§ 1045. Voluntary withholding of State income tax**

15 **from retired or retainer pay and from an-**

16 **nuity payments”.**

17 (3) The item relating to such section in the

18 table of sections at the beginning of chapter 53 of

19 such title is amended to read as follows:

“1045. Voluntary withholding of State income tax from retired or retainer pay
and from annuity payments.”.

○