

104TH CONGRESS
1ST SESSION

S. 406

To amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies to the recipient's surviving spouse, subject to a reduction of 50 percent in the last monthly payment if the recipient dies during the first 15 days of such month.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14 (legislative day, JANUARY 30), 1995

Ms. SNOWE introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies to the recipient's surviving spouse, subject to a reduction of 50 percent in the last monthly payment if the recipient dies during the first 15 days of such 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. PAYMENT OF BENEFITS FOR MONTH OF RE-**
4 **CIPIENT'S DEATH.**

5 (a) OLD-AGE INSURANCE BENEFITS.—Section
6 202(a) of the Social Security Act (42 U.S.C. 402(a)) is

1 amended by striking “the month preceding” in the matter
2 following subparagraph (B).

3 (b) WIFE’S INSURANCE BENEFITS.—

4 (1) IN GENERAL.—Section 202(b)(1) of such
5 Act (42 U.S.C. 402(b)(1)) is amended—

6 (A) by striking “and ending with the
7 month” in the matter immediately following
8 clause (ii) and inserting “and ending with the
9 month in which she dies or (if earlier) with the
10 month”;

11 (B) by striking subparagraph (E); and

12 (C) by redesignating subparagraphs (F)
13 through (K) as subparagraphs (E) through (J),
14 respectively.

15 (2) CONFORMING AMENDMENT.—Section
16 202(b)(5)(B) of such Act (42 U.S.C. 402(b)(5)(B))
17 is amended by striking “(E), (F), (H), or (J)” and
18 inserting “(E), (G), or (I)”.

19 (c) HUSBAND’S INSURANCE BENEFITS.—

20 (1) IN GENERAL.—Section 202(c)(1) of such
21 Act (42 U.S.C. 402(c)(1)) is amended—

22 (A) by striking “and ending with the
23 month” in the matter immediately following
24 clause (ii) and inserting “and ending with the

1 month in which he dies or (if earlier) with the
2 month”;

3 (B) by striking subparagraph (E); and

4 (C) by redesignating subparagraphs (F)
5 through (K) as subparagraphs (E) through (J),
6 respectively.

7 (2) CONFORMING AMENDMENT.—Section
8 202(c)(5)(B) of such Act (42 U.S.C. 402(c)(5)(B))
9 is amended by striking “(E), (F), (H), or (J)” and
10 inserting “(E), (G), or (I)”.

11 (d) CHILD’S INSURANCE BENEFITS.—Section
12 202(d)(1) of such Act (42 U.S.C. 402(d)(1)) is amend-
13 ed—

14 (1) by striking “and ending with the month” in
15 the matter immediately preceding subparagraph (D)
16 and inserting “and ending with the month in which
17 such child dies or (if earlier) with the month”; and

18 (2) by striking “dies, or” in subparagraph (D).

19 (e) WIDOW’S INSURANCE BENEFITS.—Section
20 202(e)(1) of such Act (42 U.S.C. 402(e)(1)) is amended
21 by striking “ending with the month preceding the first
22 month in which any of the following occurs: she remarries,
23 dies,” in the matter following subparagraph (F) and in-
24 serting “ending with the month in which she dies or (if

1 earlier) with the month preceding the first month in
2 which any of the following occurs: she remarries, or”.

3 (f) WIDOWER’S INSURANCE BENEFITS.—Section
4 202(f)(1) of such Act (42 U.S.C. 402(f)(1)) is amended
5 by striking “ending with the month preceding the first
6 month in which any of the following occurs: he remarries,
7 dies,” in the matter following subparagraph (F) and in-
8 serting “ending with the month in which he dies or (if
9 earlier) with the month preceding the first month in which
10 any of the following occurs: he remarries,”.

11 (g) MOTHER’S AND FATHER’S INSURANCE BENE-
12 FITS.—Section 202(g)(1) of such Act (42 U.S.C.
13 402(g)(1)) is amended—

14 (1) by inserting “with the month in which he or
15 she dies or (if earlier)” after “and ending” in the
16 matter following subparagraph (F); and

17 (2) by striking “he or she remarries, or he or
18 she dies” and inserting “or he or she remarries”.

19 (h) PARENT’S INSURANCE BENEFITS.—Section
20 202(h)(1) of such Act (42 U.S.C. 402(h)(1)) is amended
21 by striking “ending with the month preceding the first
22 month in which any of the following occurs: such parent
23 dies, marries,” in the matter following subparagraph (E)
24 and inserting “ending with the month in which such par-
25 ent dies or (if earlier) with the month preceding the first

1 month in which any of the following occurs: such parent
2 marries,”.

3 (i) DISABILITY INSURANCE BENEFITS.—Section
4 223(a)(1) of such Act (42 U.S.C. 423(a)(1)) is amended
5 by striking “ending with the month preceding whichever
6 of the following months is the earliest: the month in which
7 he dies,” in the matter following subparagraph (D) and
8 inserting the following: “ending with the month in which
9 he dies or (if earlier) with whichever of the following
10 months is the earliest:”.

11 (j) BENEFITS AT AGE 72 FOR CERTAIN UNINSURED
12 INDIVIDUALS.—Section 228(a) of such Act (42 U.S.C.
13 428(a)) is amended by striking “the month preceding” in
14 the matter following paragraph (4).

15 **SEC. 2. COMPUTATION AND PAYMENT OF LAST MONTHLY**
16 **PAYMENT.**

17 (a) OLD-AGE AND SURVIVORS INSURANCE BENE-
18 FITS.—Section 202 of the Social Security Act (42 U.S.C.
19 402) is amended by adding at the end the following new
20 subsection:

21 “Last Payment of Monthly Insurance Benefit
22 Terminated by Death

23 “(y)(1) In any case in which an individual dies during
24 the first 15 days of a calendar month, the amount of such
25 individual’s monthly insurance benefit under this section

1 paid for such month shall be an amount equal to 50 per-
2 cent of the amount of such benefit (as determined without
3 regard to this subsection), rounded, if not a multiple of
4 \$1, to the next lower multiple of \$1. This subsection shall
5 apply with respect to such benefit after all other adjust-
6 ments with respect to such benefit provided by this title
7 have been made.

8 “(2) Notwithstanding section 204(d), such benefit for
9 such month shall be payable only to a person who is deter-
10 mined by the Secretary to be the surviving spouse of the
11 deceased individual.”.

12 (b) DISABILITY INSURANCE BENEFITS.—Section 223
13 of such Act (42 U.S.C. 423) is amended by adding at the
14 end the following new subsection:

15 “Last Payment of Benefit Terminated by Death

16 “(j)(1) In any case in which an individual dies during
17 the first 15 days of a calendar month, the amount of such
18 individual’s monthly insurance benefit under this section
19 paid for such month shall be an amount equal to 50 per-
20 cent of the amount of such benefit (as determined without
21 regard to this subsection), rounded, if not a multiple of
22 \$1, to the next lower multiple of \$1. This subsection shall
23 apply with respect to such benefit after all other adjust-
24 ments with respect to such benefit provided by this title
25 have been made.

1 “(2) Notwithstanding section 204(d), such benefit for
2 such month shall be payable only to a person who is deter-
3 mined by the Secretary to be the surviving spouse of the
4 deceased individual.”.

5 (c) BENEFITS AT AGE 72 FOR CERTAIN UNINSURED
6 INDIVIDUALS.—Section 228 of such Act (42 U.S.C. 428)
7 is amended by adding at the end the following new sub-
8 section:

9 “Last Payment of Benefit Terminated by Death

10 “(i)(1) In any case in which an individual dies during
11 the first 15 days of a calendar month, the amount of such
12 individual’s monthly insurance benefit under this section
13 paid for such month shall be an amount equal to 50 per-
14 cent of the amount of such benefit (as determined without
15 regard to this subsection), rounded, if not a multiple of
16 \$1, to the next lower multiple of \$1. This subsection shall
17 apply with respect to such benefit after all other adjust-
18 ments with respect to such benefit provided by this title
19 have been made.

20 “(2) Notwithstanding section 204(d), such benefit for
21 such month shall be payable only to a person who is deter-
22 mined by the Secretary to be the surviving spouse of the
23 deceased individual.”.

1 **SEC. 3. EFFECTIVE DATE.**

2 The amendments made by this Act shall apply with
3 respect to deaths occurring after 180 days after the date
4 of the enactment of this Act.

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