

106TH CONGRESS
2D SESSION

H. R. 4310

To amend title II of the Social Security Act to provide that an individual's entitlement to benefits thereunder shall continue through the month of his or her death (without affecting any other person's entitlement to benefits for that month), in order to provide such individual's family with assistance in meeting the extra death-related expenses.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2000

Mr. HOEKSTRA 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 individual's entitlement to benefits thereunder shall continue through the month of his or her death (without affecting any other person's entitlement to benefits for that month), in order to provide such individual's family with assistance in meeting the extra death-related expenses.

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. SHORT TITLE.**

4 This Act may be cited as the "Family Survivor's Ben-
5 efits Act of 2000".

1 **SEC. 2. CONTINUATION OF BENEFITS THROUGH MONTH OF**
2 **BENEFICIARY'S DEATH.**

3 (a) OLD-AGE INSURANCE BENEFITS.—Section
4 202(a) of the Social Security Act (42 U.S.C. 402(a)) is
5 amended by striking “the month preceding” in the matter
6 following subparagraph (B).

7 (b) WIFE'S INSURANCE BENEFITS.—

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

10 (A) by striking “and ending with the
11 month” in the matter immediately following
12 clause (ii) and inserting “and ending with the
13 month in which she dies or (if earlier) with the
14 month”;

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

16 (C) by redesignating subparagraphs (F)
17 through (K) as subparagraphs (E) through (J),
18 respectively.

19 (2) CONFORMING AMENDMENTS.—Section
20 202(b)(5)(B) of such Act (42 U.S.C. 402(b)(5)(B))
21 is amended by striking “(E), (F), (H), or (J)” and
22 inserting “(E), (G), or (I)”.

23 (c) HUSBAND'S INSURANCE BENEFITS.—

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

1 (A) by striking “and ending with the
2 month” in the matter immediately following
3 clause (ii) and inserting “and ending with the
4 month in which he dies or (if earlier) with the
5 month”;

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

7 (C) by redesignating subparagraphs (F)
8 through (K) as subparagraphs (E) through (J),
9 respectively.

10 (2) CONFORMING AMENDMENTS.—Section
11 202(c)(5)(B) of such Act (42 U.S.C. 402(c)(5)(B))
12 is amended by striking “(E), (F), (H), or (J)” and
13 inserting “(E), (G), or (I)”.

14 (d) CHILD’S INSURANCE BENEFITS.—Section
15 202(d)(1) of such Act (42 U.S.C. 402(d)(1)) is
16 amended—

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

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

22 (e) WIDOW’S INSURANCE BENEFITS.—Section
23 202(e)(1) of such Act (42 U.S.C. 402(e)(1)) is amended
24 by striking “ending with the month preceding the first
25 month in which any of the following occurs: she remarries,

1 dies,” in the matter following subparagraph (F) and in-
2 serting “ending with the month in which she dies or (if
3 earlier) with the month preceding the first month in which
4 she remarries or”.

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

13 (g) MOTHER’S AND FATHER’S INSURANCE BENE-
14 FITS.—Section 202(g)(1) of such Act (42 U.S.C.
15 402(g)(1)) is amended—

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

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

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

1 and inserting “ending with the month in which such par-
2 ent dies or (if earlier) with the month preceding the first
3 month in which such parent marries, or such parent”.

4 (i) **DISABILITY INSURANCE BENEFITS.**—Section
5 223(a)(1) of such Act (42 U.S.C. 423(a)(1)) is amended
6 by striking “ending with the month preceding whichever
7 of the following months is the earliest: the month in which
8 he dies,” in the matter following subparagraph (D) and
9 inserting the following: “ending with the month in which
10 he dies or (if earlier) with the month preceding the earlier
11 of” and by striking the comma after “216(l)”.

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

16 **SEC. 3. DISREGARD OF BENEFIT FOR MONTH OF DEATH**
17 **UNDER FAMILY MAXIMUM PROVISIONS.**

18 Section 203(a) of the Social Security Act (42 U.S.C.
19 403(a)) is amended by adding at the end the following
20 new paragraph:

21 “(11) Notwithstanding any other provision of this
22 Act, in applying the preceding provisions of this subsection
23 (and determining maximum family benefits under column
24 V of the table in or deemed to be in section 215(a) as
25 in effect in December 1978) with respect to the month

1 in which the insured individual's death occurs, the benefit
2 payable to such individual for that month shall be dis-
3 regarded.".

4 **SEC. 4. EFFECTIVE DATE.**

5 The amendments made by this Act shall apply with
6 respect to deaths occurring after the month in which this
7 Act is enacted.

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