

107TH CONGRESS  
1ST SESSION

# H. R. 1464

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, subject to a reduction of 50 percent if the recipient dies during the first 15 days of such month, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2001

Mr. HOLDEN (for himself, Mr. STARK, Mrs. BONO, Mr. CRAMER, Ms. HOOLEY of Oregon, Mr. MCINTYRE, Mr. BRADY of Pennsylvania, Mr. SNYDER, Mr. GORDON, Mr. SKELTON, Mr. DOYLE, Mr. TURNER, Mr. BORSKI, Mr. LAHOOD, Mr. TAYLOR of North Carolina, Mr. FROST, Mr. LATOURETTE, Mr. FRANK, Mr. PAUL, Mr. KILDEE, Mr. ANDREWS, Mrs. CAPPS, Ms. RIVERS, Mr. BOUCHER, Mr. McNULTY, Mr. BALDACCI, Mr. MASCARA, Mr. GONZALEZ, Mr. WELDON of Pennsylvania, Mr. FILNER, Mr. LANTOS, Mr. GOODE, Ms. BROWN of Florida, Mr. BOEHLERT, Mrs. JONES of Ohio, Mr. CROWLEY, Mr. STUPAK, Mr. PASTOR, Ms. SCHAKOWSKY, Mr. HINCHEY, Ms. HART, Mrs. EMERSON, Mr. NEY, Mr. GEORGE MILLER of California, Mr. BARRETT, Mr. GILLMOR, Mr. DEFazio, Mr. EVANS, Mr. CONDIT, Ms. BERKLEY, Mr. KUCINICH, Mr. COSTELLO, Mr. CLEMENT, Ms. SOLIS, Mr. SERRANO, Ms. MCCARTHY of Missouri, Mr. SHAYS, Mr. COYNE, Mr. BOSWELL, and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Ways and Means

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## 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, subject to a reduction of 50 percent if the recipient dies during the first 15 days of such month, and for other purposes.



1 “(2) Any payment of an individual’s benefit under  
2 this section for the month in which such individual dies  
3 shall be made in accordance with section 204(d).”.

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

7 “Last Payment of Benefit Terminated by Death

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

18 “(2) Any payment of an individual’s benefit under  
19 this section for the month in which such individual dies  
20 shall be made in accordance with section 204(d).”.

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

1 “Last Payment of Benefit Terminated by Death

2 “(i)(1) In any case in which an individual dies during  
3 the first 15 days of a calendar month, the amount of such  
4 individual’s monthly insurance benefit under this section  
5 paid for such month shall be an amount equal to 50 per-  
6 cent of the amount of such benefit (as determined without  
7 regard to this subsection), rounded, if not a multiple of  
8 \$1, to the next lower multiple of \$1. This subsection shall  
9 apply with respect to such benefit after all other adjust-  
10 ments with respect to such benefit provided by this title  
11 have been made.

12 “(2) Any payment of an individual’s benefit under  
13 this section for the month in which such individual dies  
14 shall be made in accordance with section 204(d).”.

15 **SEC. 3. CONFORMING AMENDMENTS REGARDING PAYMENT**  
16 **OF BENEFITS FOR MONTH OF RECIPIENT’S**  
17 **DEATH.**

18 (a) OLD-AGE INSURANCE BENEFITS.—Section  
19 202(a) of the Social Security Act (42 U.S.C. 402(a)) is  
20 amended by striking “the month preceding” in the matter  
21 following subparagraph (B).

22 (b) WIFE’S INSURANCE BENEFITS.—

23 (1) IN GENERAL.—Section 202(b)(1) of such  
24 Act (42 U.S.C. 402(b)(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 she 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 AMENDMENT.—Section  
11 202(b)(5)(B) of such Act (42 U.S.C. 402(b)(5)(B))  
12 is amended by striking “(E), (F), (H), or (J)” and  
13 inserting “(E), (G), or (I)”.

14 (c) HUSBAND’S INSURANCE BENEFITS.—

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

17 (A) by striking “and ending with the  
18 month” in the matter immediately following  
19 clause (ii) and inserting “and ending with the  
20 month in which he dies or (if earlier) with the  
21 month”;

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

23 (C) by redesignating subparagraphs (F)  
24 through (K) as subparagraphs (E) through (J),  
25 respectively.

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

5           (d) CHILD’S INSURANCE BENEFITS.—Section  
6           202(d)(1) of such Act (42 U.S.C. 402(d)(1)) is  
7           amended—

8           (1) by striking “and ending with the month” in  
9           the matter immediately preceding subparagraph (D)  
10          and inserting “and ending with the month in which  
11          such child dies or (if earlier) with the month”; and

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

13          (e) WIDOW’S INSURANCE BENEFITS.—Section  
14          202(e)(1) of such Act (42 U.S.C. 402(e)(1)) is amended  
15          by striking “ending with the month preceding the first  
16          month in which any of the following occurs: she remarries,  
17          dies,” in the matter following subparagraph (F) and in-  
18          serting “ending with the month in which she dies or (if  
19          earlier) with the month preceding the first month in which  
20          any of the following occurs: she remarries, or”.

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

1 serting “ending with the month in which he dies or (if  
2 earlier) with the month preceding the first month in which  
3 any of the following occurs: he remarries,”.

4 (g) MOTHER’S AND FATHER’S INSURANCE BENE-  
5 FITS.—Section 202(g)(1) of such Act (42 U.S.C.  
6 402(g)(1)) is amended—

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

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

12 (h) PARENT’S INSURANCE BENEFITS.—Section  
13 202(h)(1) of such Act (42 U.S.C. 402(h)(1)) is amended  
14 by striking “ending with the month preceding the first  
15 month in which any of the following occurs: such parent  
16 dies, marries,” in the matter following subparagraph (E)  
17 and inserting “ending with the month in which such par-  
18 ent dies or (if earlier) with the month preceding the first  
19 month in which any of the following occurs: such parent  
20 marries,”.

21 (i) DISABILITY INSURANCE BENEFITS.—Section  
22 223(a)(1) of such Act (42 U.S.C. 423(a)(1)) is amended  
23 by striking “ending with the month preceding whichever  
24 of the following months is the earliest: the month in which  
25 he dies,” in the matter following subparagraph (D) and

1 inserting the following: “ending with the month in which  
2 he dies or (if earlier) with whichever of the following  
3 months is the earliest.”.

4 (j) BENEFITS AT AGE 72 FOR CERTAIN UNINSURED  
5 INDIVIDUALS.—Section 228(a) of such Act (42 U.S.C.  
6 428(a)) is amended by striking “the month preceding” in  
7 the matter following paragraph (4).

8 (k) EXEMPTION FROM MAXIMUM BENEFIT CAP.—  
9 Section 203 of such Act (42 U.S.C. 403) is amended by  
10 adding at the end the following new subsection:

11 “Exemption From Maximum Benefit Cap  
12 “(m) Notwithstanding any other provision of this sec-  
13 tion, the application of this section shall be made without  
14 regard to any benefit of an individual under section 202,  
15 223, or 228 for the month in which such individual dies.”.

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

17 The amendments made by this Act shall apply with  
18 respect to deaths occurring after 180 days after the date  
19 of the enactment of this Act.

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