

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1444

To amend title II of the Social Security Act to provide for payment of a benefit for the month of the recipient's death.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1993

Mr. CLEMENT 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 for payment of a benefit for the month of the recipient's death.

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) IN GENERAL.—

6 (1) OLD-AGE INSURANCE BENEFITS.—Section  
7 202(a) of the Social Security Act (42 U.S.C. 402(a))  
8 is amended by striking “the month preceding” in the  
9 matter following subparagraph (B).

10 (2) WIFE'S INSURANCE BENEFITS.—

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

3 (i) by striking “and ending with the  
4 month” in the matter immediately follow-  
5 ing clause (ii) and inserting “and ending  
6 with the month in which she dies or (if  
7 earlier) with the month”;

8 (ii) by striking subparagraph (E); and

9 (iii) by redesignating subparagraphs  
10 (F) through (K) as subparagraphs (E)  
11 through (J), respectively.

12 (B) CONFORMING AMENDMENT.—Section  
13 202(b)(5)(B) of such Act (42 U.S.C.  
14 402(b)(5)(B)) is amended by striking “(E),  
15 (F), (H), or (J)” and inserting “(E), (G), or  
16 (I)”.

17 (3) HUSBAND’S INSURANCE BENEFITS.—

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

20 (i) by striking “and ending with the  
21 month” in the matter immediately follow-  
22 ing clause (ii) and inserting “and ending  
23 with the month in which he dies or (if ear-  
24 lier) with the month”;

25 (ii) by striking subparagraph (E); and

1 (iii) by redesignating subparagraphs  
2 (F) through (K) as subparagraphs (E)  
3 through (J), respectively.

4 (B) CONFORMING AMENDMENT.—Section  
5 202(c)(5)(B) of such Act (42 U.S.C.  
6 402(c)(5)(B)) is amended by striking “(E), (F),  
7 (H), or (J)” and inserting “(E), (G), or (I)”.

8 (4) CHILD’S INSURANCE BENEFITS.—Section  
9 202(d)(1) of such Act (42 U.S.C. 402(d)(1)) is  
10 amended—

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

16 (B) by striking “dies, or” in subparagraph  
17 (D).

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

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

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

12 (7) MOTHER’S AND FATHER’S INSURANCE BEN-  
13 EFITS.—Section 202(g)(1) of such Act (42 U.S.C.  
14 402(g)(1)) is amended—

15 (A) by inserting “with the month in which  
16 he or she dies or (if earlier)” after “and end-  
17 ing” in the matter following subparagraph (F);  
18 and

19 (B) by striking “he or she remarries, or he  
20 or she dies” and inserting “or he or she remar-  
21 ries”.

22 (8) PARENT’S INSURANCE BENEFITS.—Section  
23 202(h)(1) of such Act (42 U.S.C. 402(b)(1)) is  
24 amended by striking “ending with the month preced-  
25 ing the first month in which any of the following oc-

1       curs: such parent dies, marries,” in the matter fol-  
2       lowing subparagraph (E) and inserting “ending with  
3       the month in which such parent dies or (if earlier)  
4       with the month preceding the first month in which  
5       any of the following occurs: such parent marries,”.

6           (9) DISABILITY INSURANCE BENEFITS.—Sec-  
7       tion 223(a)(1) of such Act (42 U.S.C. 423(a)(1)) is  
8       amended by striking “ending with the month preced-  
9       ing whichever of the following months is the earliest:  
10      the month in which he dies,” in the matter following  
11      subparagraph (D) and inserting the following: “end-  
12      ing with the month in which he dies or (if earlier)  
13      with whichever of the following months is the earli-  
14      est:”.

15           (10) BENEFITS AT AGE 72 FOR CERTAIN UNIN-  
16      SURED INDIVIDUALS.—Section 228(a) of such Act  
17      (42 U.S.C. 428(a)) is amended by striking “the  
18      month preceding” in the matter following paragraph  
19      (4).

20           (b) COMPUTATION OF LAST MONTHLY PAYMENT.—

21           (1) OLD-AGE AND SURVIVORS INSURANCE BEN-  
22      EFITS.—Section 202 of such Act (42 U.S.C. 402) is  
23      amended by adding at the end the following new  
24      subsection:

1 “Last Payment of Monthly Insurance Benefit

2 Terminated by Death

3 “(y) The amount of any individual’s monthly insur-  
4 ance benefit under this section paid for the month in  
5 which the individual dies shall be an amount equal to—

6 “(1) the amount of such benefit (as determined  
7 without regard to this subsection) multiplied by

8 “(2) a fraction—

9 “(A) the numerator of which is the number  
10 of days in such month preceding the date of  
11 such individual’s death, and

12 “(B) the denominator of which is the num-  
13 ber of days in such month,

14 rounded, if not a multiple of \$1, to the next lower multiple  
15 of \$1. This subsection shall apply with respect to such  
16 benefit after all other adjustments with respect to such  
17 benefit provided by this title have been made. Payment  
18 of such benefit for such month shall be made as provided  
19 in section 204(d).”.

20 (2) DISABILITY INSURANCE BENEFITS.—Sec-  
21 tion 223 of such Act (42 U.S.C. 423) is amended by  
22 adding at the end the following new subsection:

1 “Last Payment of Benefit Terminated by Death

2 “(j) The amount of any individual’s monthly benefit  
3 under this section paid for the month in which the individ-  
4 ual dies shall be an amount equal to—

5 “(1) the amount of such benefit (as determined  
6 without regard to this subsection), multiplied by

7 “(2) a fraction—

8 “(A) the numerator of which is the number  
9 of days in such month preceding the date of  
10 such individual’s death, and

11 “(B) the denominator of which is the num-  
12 ber of days in such month,

13 rounded, if not a multiple of \$1, to the next lower multiple  
14 of \$1. This subsection shall apply with respect to such  
15 benefit after all other adjustments with respect to such  
16 benefit provided by this title have been made. Payment  
17 of such benefit for such month shall be made as provided  
18 in section 204(d).”.

19 (3) BENEFITS AT AGE 72 FOR CERTAIN UNIN-  
20 SURED INDIVIDUALS.—Section 228 of such Act (42  
21 U.S.C. 428) is amended by adding at the end the  
22 following new subsection:

1 “Last Payment of Benefit Terminated by Death

2 “(i) The amount of any individual’s monthly benefit  
3 under this section paid for the month in which the individ-  
4 ual dies shall be an amount equal to—

5 “(1) the amount of such benefit (determined  
6 before application of this subsection), multiplied by

7 “(2) a fraction—

8 “(A) the numerator of which is the number  
9 of days in such month preceding the date of  
10 such individual’s death, and

11 “(B) the denominator of which is the num-  
12 ber of days in such month,

13 rounded, if not a multiple of \$1, to the next lower multiple  
14 of \$1. This subsection shall apply with respect to such  
15 benefit after all other adjustments with respect to such  
16 benefit provided by this title have been made. Payment  
17 of such benefit for such month shall be made as provided  
18 in section 204(d).”.

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

20 The amendments made by this Act shall apply with  
21 respect to deaths occurring after the date of the enactment  
22 of this Act.

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