

103^D CONGRESS
1ST SESSION

H. R. 2161

To amend title II of the Social Security Act to expand current restrictions on payment of benefits to prisoners by clarifying the types of offenses with respect to which such restrictions are applied, by including under such restrictions payments to individuals confined for substantial periods to public institutions pursuant to court order based on a verdict that the individual is not guilty of a criminal offense by reason of insanity or a similar finding, and by eliminating the rehabilitation exemption.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1993

Mr. FRANKS of New Jersey 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 expand current restrictions on payment of benefits to prisoners by clarifying the types of offenses with respect to which such restrictions are applied, by including under such restrictions payments to individuals confined for substantial periods to public institutions pursuant to court order based on a verdict that the individual is not guilty of a criminal offense by reason of insanity or a similar finding, and by eliminating the rehabilitation exemption.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. RESTRICTIONS ON PAYMENT OF BENEFITS TO**
2 **PRISONERS AND CERTAIN OTHER INMATES**
3 **OF PUBLIC INSTITUTIONS.**

4 (a) IN GENERAL.—Section 202(x)(1) of the Social
5 Security Act (42 U.S.C. 402(x)(1)) is amended to read
6 as follows:

7 “(x)(1) Notwithstanding any other provision of this
8 title, no monthly benefits shall be paid under this section
9 or under section 223 to any individual for any month—

10 “(A) during which such individual is confined in
11 a jail, prison, or other penal institution or correc-
12 tional facility, pursuant to his conviction of an of-
13 fense for which the specified maximum term of con-
14 finement is at least 6 months, or

15 “(B) for which such individual is confined in
16 any public institution by a court order pursuant to
17 a verdict that the individual is not guilty of an of-
18 fense described in subparagraph (A) by reason of in-
19 sanity (or by reason of a similar finding, such as a
20 mental disease, a mental defect, or mental incom-
21 petence) and which constitutes the seventh or a sub-
22 sequent consecutive month for which such individual
23 has been so confined.”.

24 (b) CONFORMING AMENDMENTS.—

25 (1) Section 202(x)(3) of such Act (42 U.S.C.
26 402(x)(3)) is amended by striking “any individual”

1 and all that follows and inserting “any individual
2 confined as described in paragraph (1) if the jail,
3 prison, penal institution, correctional facility, or
4 other public institution to which such individual is so
5 confined is under the jurisdiction of such agency and
6 the Secretary requires such information to carry out
7 the provisions of this section.”.

8 (2) The heading for section 202(x) of such Act
9 is amended by inserting “and Certain Other Inmates
10 of Public Institutions” after “Prisoners”.

11 **SEC. 2. EFFECTIVE DATE.**

12 The amendments made by section 1 shall apply with
13 respect to benefits for months commencing after 90 days
14 after the date of the enactment of this Act.

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