

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

# H. R. 254

To amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. NEAL of North Carolina 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 eliminate the earnings test for individuals who have attained retirement age.

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 “Older Americans’  
5 Equity Act of 1993”.

6 **SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVID-**  
7 **UALS WHO HAVE ATTAINED RETIREMENT**  
8 **AGE.**

9 Section 203 of the Social Security Act (42 U.S.C.  
10 403) is amended—

1 (1) in paragraph (1) of subsection (c) and para-  
2 graphs (1)(A) and (2) of subsection (d), by striking  
3 “the age of seventy” and inserting “retirement age  
4 (as defined in section 216(l))”;

5 (2) in subsection (f)(1)(B), by striking “was  
6 age seventy or over” and inserting “was at or above  
7 retirement age (as defined in section 216(l))”;

8 (3) in subsection (f)(3), by striking “33 $\frac{1}{3}$  per-  
9 cent” and all that follows through “any other indi-  
10 vidual,” and inserting “50 percent of such individ-  
11 ual’s earnings for such year in excess of the product  
12 of the exempt amount as determined under para-  
13 graph (8),” and by striking “age 70” and inserting  
14 “retirement age (as defined in section 216(l))”;

15 (4) in subsection (h)(1)(A), by striking “age  
16 70” each place it appears and inserting “retirement  
17 age (as defined in section 216(l))”; and

18 (5) in subsection (j), by striking “Age Seventy”  
19 in the heading and inserting “Retirement Age”, and  
20 by striking “seventy years of age” and inserting  
21 “having attained retirement age (as defined in sec-  
22 tion 216(l))”.

1 **SEC. 3. CONFORMING AMENDMENTS ELIMINATING THE**  
2 **SPECIAL EXEMPT AMOUNT FOR INDIVIDUALS**  
3 **WHO HAVE ATTAINED RETIREMENT AGE.**

4 (a) **UNIFORM EXEMPT AMOUNT.**—Section  
5 203(f)(8)(A) of the Social Security Act (42 U.S.C.  
6 403(f)(8)(A)) is amended by striking “the new exempt  
7 amounts (separately stated for individuals described in  
8 subparagraph (D) and for other individuals) which are to  
9 be applicable” and inserting “a new exempt amount which  
10 shall be applicable”.

11 (b) **CONFORMING AMENDMENTS.**—Section  
12 203(f)(8)(B) of such Act (42 U.S.C. 403(f)(8)(B)) is  
13 amended—

14 (1) in the matter preceding clause (i), by strik-  
15 ing “Except” and all that follows through “which-  
16 ever” and inserting “The exempt amount which is  
17 applicable for each month of a particular taxable  
18 year shall be whichever”;

19 (2) in clause (i), by striking “corresponding”;  
20 and

21 (3) in the last sentence, by striking “an exempt  
22 amount” and inserting “the exempt amount”.

23 (c) **REPEAL OF BASIS FOR COMPUTATION OF SPE-**  
24 **CIAL EXEMPT AMOUNT.**—Section 203(f)(8)(D) of such  
25 Act (42 U.S.C. 403(f)(8)(D)) is repealed.

1 **SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.**

2 (a) ELIMINATION OF REDUNDANT REFERENCES TO  
3 RETIREMENT AGE.—Section 203 of the Social Security  
4 Act (42 U.S.C. 403) is amended—

5 (1) in the last sentence of subsection (c), by  
6 striking “nor shall any deduction” and all that fol-  
7 lows and inserting “nor shall any deduction be made  
8 under this subsection from any widow’s or widower’s  
9 insurance benefit if the widow, surviving divorced  
10 wife, widower, or surviving divorced husband in-  
11 volved became entitled to such benefit prior to at-  
12 taining age 60.”; and

13 (2) in subsection (f)(1), by striking clause (D)  
14 and inserting the following: “(D) for which such in-  
15 dividual is entitled to widow’s or widower’s insurance  
16 benefits if such individual became so entitled prior  
17 to attaining age 60, or”.

18 (b) CONFORMING AMENDMENT TO PROVISIONS FOR  
19 DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF  
20 DELAYED RETIREMENT.—Section 202(w)(2)(B)(ii) of  
21 such Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended—

22 (1) by striking “either”; and

23 (2) by striking “or suffered deductions under  
24 section 203(b) or 203(c) in amounts equal to the  
25 amount of such benefit”.

1 (c) CONTINUED APPLICATION OF RULE GOVERNING  
2 ENTITLEMENT OF BLIND BENEFICIARIES.—The second  
3 sentence of section 223(d)(4) of such Act (42 U.S.C.  
4 423(d)(4)) is amended by inserting after “subparagraph  
5 (D) thereof” where it first appears the following: “(or  
6 would be applicable to such individuals but for the amend-  
7 ments made by the Older Americans’ Equity Act of  
8 1993)”.

9 **SEC. 5. EFFECTIVE DATE.**

10 The amendments made by this Act shall apply only  
11 with respect to taxable years ending after December 31,  
12 1993.

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