

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

# H. R. 837

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 and that such benefit shall be payable for such month only to the extent proportionate to the number of days in such month preceding the date of the recipient's death.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1993

Mr. HUTCHINSON 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 and that such benefit shall be payable for such month only to the extent proportionate to the number of days in such month preceding the date 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) OLD-AGE INSURANCE BENEFITS.—Section  
6 202(a) of the Social Security Act (42 U.S.C. 402(a)) is

1 amended by striking “the month preceding” in the matter  
2 following subparagraph (B).

3 (b) WIFE’S INSURANCE BENEFITS.—

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

6 (A) by striking “and ending with the  
7 month” in the matter immediately following  
8 clause (ii) and inserting “and ending with the  
9 month in which she dies or (if earlier) with the  
10 month”;

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

12 (C) by redesignating subparagraphs (F)  
13 through (K) as subparagraphs (E) through  
14 (J), respectively.

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

19 (c) HUSBAND’S INSURANCE BENEFITS.—

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

22 (A) by striking “and ending with the  
23 month” in the matter immediately following  
24 clause (ii) and inserting “and ending with the

1 month in which he dies or (if earlier) with the  
2 month”;

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

4 (C) by redesignating subparagraphs (F)  
5 through (K) as subparagraphs (E) through (J),  
6 respectively.

7 (2) CONFORMING AMENDMENT.—Section  
8 202(c)(5)(B) of such Act (42 U.S.C. 402(c)(5)(B))  
9 is amended by striking “(E), (F), (H), or (J)” and  
10 inserting “(E), (G), or (I)”.

11 (d) CHILD’S INSURANCE BENEFITS.—Section  
12 202(d)(1) of such Act (42 U.S.C. 402(d)(1)) is amend-  
13 ed—

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

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

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

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

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

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

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

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

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

1 month in which any of the following occurs: such parent  
2 marries,”.

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

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

15 **SEC. 2. COMPUTATION AND PAYMENT OF LAST MONTHLY**  
16 **PAYMENT.**

17 (a) OLD-AGE AND SURVIVORS INSURANCE BENE-  
18 FITS.—Section 202 of the Social Security Act (42 U.S.C.  
19 402) is amended by adding at the end the following new  
20 subsection:

21 “Last Payment of Monthly Insurance Benefit  
22 Terminated by Death

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

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

3           “(2) a fraction—

4                   “(A) the numerator of which is the number  
5                   of days in such month preceding the date of  
6                   such individual’s death, and

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

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

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

18           “Last Payment of Benefit Terminated by Death

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

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

24                   “(2) a fraction—

1           “(A) the numerator of which is the number  
2           of days in such month preceding the date of  
3           such individual’s death, and

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

6 rounded, if not a multiple of \$1, to the next lower multiple  
7 of \$1. This subsection shall apply with respect to such  
8 benefit after all other adjustments with respect to such  
9 benefit provided by this title have been made. Payment  
10 of such benefit for such month shall be made as provided  
11 in section 204(d).”.

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

16           “Last Payment of Benefit Terminated by Death

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

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

22           “(2) a fraction—

23           “(A) the numerator of which is the number  
24 of days in such month preceding the date of  
25 such individual’s death, and

1                   “(B) the denominator of which is the num-  
2                   ber of days in such month,  
3 rounded, if not a multiple of \$1, to the next lower multiple  
4 of \$1. This subsection shall apply with respect to such  
5 benefit after all other adjustments with respect to such  
6 benefit provided by this title have been made. Payment  
7 of such benefit for such month shall be made as provided  
8 in section 204(d).”.

9 **SEC. 3. EFFECTIVE DATE.**

10           The amendments made by this Act shall apply with  
11 respect to deaths occurring on or after the date of the  
12 enactment of this Act.

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