

107TH CONGRESS
2D SESSION

S. 3144

To amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

IN THE SENATE OF THE UNITED STATES

OCTOBER 17, 2002

Mrs. LINCOLN introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

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. CERTAIN FUNERAL AND BURIAL ARRANGE-**
4 **MENTS NOT CONSIDERED RESOURCES.**

5 Section 1613(e)(3) of the Social Security Act (42
6 U.S.C. 1382b(e)(3)) is amended by adding at the end the
7 following:

8 “(C) If—

1 “(i) an individual or the individual’s spouse en-
2 ters into an irrevocable contract with a provider of
3 funeral goods and services for a funeral;

4 “(ii) the individual or the individual’s spouse
5 funds the contract by paying for the goods and serv-
6 ices; and

7 “(iii)(I) the funeral provider subsequently
8 places the funds in a trust or in escrow; or

9 “(II) the individual or the individual’s spouse
10 establishes an irrevocable trust, and the funeral pro-
11 vider is the named beneficiary of the trust,

12 then the trust or escrow shall not be considered a resource
13 available to the individual.”.

○