

108TH CONGRESS
1ST SESSION

H. R. 2311

To amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained age 62.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2003

Mr. SESSIONS (for himself, Mr. DOOLITTLE, Mr. JONES of North Carolina, Mr. HASTINGS of Washington, Mr. STEARNS, Mr. PAUL, Mr. SOUDER, Mr. GARRETT of New Jersey, Mr. LATOURETTE, Mr. SULLIVAN, Mr. HAYES, Mr. DAVIS of Illinois, Ms. GINNY BROWN-WAITE of Florida, Mr. HEFLEY, Mr. VITTER, Mr. GREEN of Wisconsin, Mr. FORBES, Mrs. JO ANN DAVIS of Virginia, Mr. FROST, and Mr. TOOMEY) 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 eliminate the earnings test for individuals who have attained age 62.

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 The Act may be cited as the “Social Security Earn-
5 ings Limit Repeal Act of 2003”.

1 **SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVID-**
2 **UALS WHO HAVE ATTAINED AGE 62.**

3 (a) IN GENERAL.—Section 203 of the Social Security
4 Act (42 U.S.C. 403) is amended—

5 (1) in subsection (c)(1), by striking “retirement
6 age (as defined in section 216(l))” and inserting
7 “the age of 62”;

8 (2) in paragraphs (1)(A) and (2) of subsection
9 (d), by striking “retirement age (as defined in sec-
10 tion 216(l))” each place it appears and inserting
11 “the age of 62”;

12 (3) in subsection (f)(1)(B), by striking “was at
13 or above retirement age (as defined in section
14 216(l))” and inserting “was age 62 or above”;

15 (4) in subsection (f)(3)—

16 (A) by striking “33 $\frac{1}{3}$ percent” and all
17 that follows through “any other individual,”
18 and inserting “50 percent of such individual’s
19 earnings for such year in excess of the product
20 of the exempt amount as determined under
21 paragraph (8),”; and

22 (B) by striking “retirement age (as defined
23 in section 216(l))” and inserting “age 62”;

24 (5) in subsection (f)(8)(E), by striking “retire-
25 ment age (as defined in section 216(l))” and insert-
26 ing “age 62”;

1 (6) in subsection (h)(1)(A), by striking “retire-
2 ment age (as defined in section 216(l))” each place
3 it appears and inserting “age 62”; and

4 (7) in subsection (j)—

5 (A) in the heading, by striking “Retire-
6 ment Age” and inserting “Age 62”; and

7 (B) by striking “having attained retire-
8 ment age (as defined in section 216(l))” and in-
9 serting “62 years of age”.

10 (b) CONFORMING AMENDMENTS ELIMINATING THE
11 SPECIAL EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE
12 ATTAINED RETIREMENT AGE.—

13 (1) SINGLE EXEMPT AMOUNT.—Section
14 203(f)(8) of such Act (42 U.S.C. 403(f)(8)) is
15 amended—

16 (A) in subparagraph (A), by striking “the
17 new exempt amounts (separately stated for in-
18 dividuals described in subparagraph (D) and for
19 other individuals) which are to be applicable”
20 and inserting “a new exempt amount which
21 shall be applicable”;

22 (B) in the matter in subparagraph (B)
23 preceding clause (i), by striking “Except” and
24 all that follows through “whichever” and insert-
25 ing “The exempt amount which is applicable for

1 each month of a particular taxable year shall be
2 whichever”;

3 (C) in clause (i) of subparagraph (B), by
4 striking “corresponding”;

5 (D) in the matter in clause (ii) of subpara-
6 graph (B) preceding subclause (I), by striking
7 “the product” and all that follows through “in-
8 dividuals),” and inserting “the product of the
9 exempt amount which is in effect with respect
10 to months in the taxable year ending after 1993
11 and before 1995,”;

12 (E) in subclause (II) of subparagraph
13 (B)(ii), by striking “for 2000” and all that fol-
14 lows through “individuals),” and inserting “for
15 1992,”; and

16 (F) in the last sentence of subparagraph
17 (B), by striking “an exempt amount” and in-
18 serting “the exempt amount”.

19 (2) ELIMINATION OF RULES FOR COMPUTING
20 SPECIAL EXEMPT AMOUNT.—Section 203(f)(8) of
21 such Act (42 U.S.C. 403(f)(8)) is amended fur-
22 ther—

23 (A) by striking subparagraph (D);

1 (B) by redesignating subparagraph (E) (as
2 amended by subsection (a)(5)) as subparagraph
3 (D); and

4 (C) in subparagraph (D) (as redesignated),
5 by striking “Notwithstanding subparagraph
6 (D), no” and inserting “No”.

7 (3) MAINTENANCE OF CURRENT RULES FOR
8 DISABILITY BENEFITS.—Section 223(d)(4)(A) of
9 such Act (42 U.S.C. 423(d)(4)(A)) is amended by
10 inserting “and section 2 of the Social Security Earn-
11 ings Limit Repeal Act of 2003” after “section 102
12 of the Senior Citizens’ Right to Work Act of 1996”.

13 **SEC. 3. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply with
15 respect to taxable years ending after December 31, 2003.

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