

108TH CONGRESS  
1ST SESSION

# H. R. 3091

To amend title II of the Social Security Act to restore child's insurance benefits in the case of children who are 18 through 22 years of age and attend postsecondary schools.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2003

Mr. ANDREWS 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 restore child's insurance benefits in the case of children who are 18 through 22 years of age and attend postsecondary schools.

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 "Social Security Child's  
5 Insurance Benefits Restoration Act of 2003".

1 **SEC. 2. RESTORATION OF CHILD'S INSURANCE BENEFITS**  
2 **IN THE CASE OF CHILDREN WHO ARE 18**  
3 **THROUGH 22 YEARS OF AGE AND ATTEND**  
4 **POSTSECONDARY SCHOOLS.**

5 (a) IN GENERAL.—Section 202(d) of the Social Secu-  
6 rity Act (42 U.S.C. 402(d)) is amended—

7 (1) in paragraphs (1)(B), (1)(E)(ii), (1)(F)(i),  
8 (1)(G)(ii), (6)(D)(i), (6)(E)(i), (7)(A), (7)(B), and  
9 (7)(D), by striking “full-time elementary or sec-  
10 ondary school student” each place it appears and in-  
11 sserting “full-time student”;

12 (2) in paragraphs (1)(B)(i), (1)(F)(ii),  
13 (1)(G)(iii), (6)(D)(ii), (6)(E)(ii), and (7)(D), by  
14 striking “19” each place it appears and inserting  
15 “22”;

16 (3) in paragraphs (7)(A), (7)(B), and (7)(D),  
17 by striking “elementary or secondary school” each  
18 place it appears and inserting “educational institu-  
19 tion”; and

20 (4) by striking paragraph (7)(C) and inserting  
21 the following:

22 “(C) An ‘educational institution’ is (i) a school  
23 or college or university operated or directly sup-  
24 ported by the United States, or by any State or local  
25 government or political subdivision thereof, or (ii) a  
26 school or college or university which has been ap-

1 proved by a State or accredited by a State-recog-  
2 nized or nationally-recognized accrediting agency or  
3 body, or (iii) a non-accredited school or college or  
4 university whose credits are accepted, on transfer, by  
5 not less than three institutions which are so accred-  
6 ited, for credit on the same basis as if transferred  
7 from an institution so accredited.”.

8 (b) CONFORMING AMENDMENTS.—Section 202(d) of  
9 such Act is amended further—

10 (1) by striking paragraph (6)(A) and inserting  
11 the following:

12 “(A)(i) is a full-time student or is under a dis-  
13 ability (as defined in section 223(d)), and (ii) has  
14 not attained the age of 22, or”;

15 (2) in paragraph (7)(A), by striking “schools  
16 involved” and inserting “institutions involved”; and

17 (3) in paragraph (7)(D), by striking “diploma  
18 or equivalent certificate from a secondary school (as  
19 defined in subparagraph (C)(i)” and inserting “de-  
20 gree from a four-year college or university”.

21 **SEC. 3. EFFECTIVE DATE.**

22 (a) IN GENERAL.—The amendments made by this  
23 Act shall apply to child’s insurance benefits under section  
24 202(d) of the Social Security Act for months ending after  
25 the date of the enactment of this Act.

1 (b) RETROACTIVE TREATMENT FOR EXISTING STU-  
2 DENTS.—

3 (1) IN GENERAL.—A qualified student, upon fil-  
4 ing application for child’s insurance benefits under  
5 section 202(d) of the Social Security Act within 180  
6 days after the date of the enactment of this Act,  
7 shall be entitled to benefits under such section as  
8 if—

9 (A) such student had filed application for  
10 such benefits on the first date as of which such  
11 student was a full-time student (as defined in  
12 section 202(d)(7)(A) of the Social Security Act  
13 (as amended by this Act)) and had attained the  
14 age of 18 but had not attained the age of 22,  
15 and

16 (B) the amendments made by this Act ap-  
17 plied with respect to benefits for months ending  
18 after the date described in subparagraph (A).

19 (2) QUALIFIED STUDENT.—For purposes of  
20 paragraph (1), the term “qualified student” means  
21 an individual who—

22 (A) was not entitled to child’s insurance  
23 benefits under section 202(d) of the Social Se-  
24 curity Act for the month preceding the date of  
25 the enactment of this Act,

1           (B) has attained 18 years of age as of such  
2           date, and

3           (C) as of such date, is a full-time student  
4           (as defined in section 202(d)(7)(A) of the So-  
5           cial Security Act (as amended by this Act)) and  
6           has not attained the age of 22.

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