

111TH CONGRESS
1ST SESSION

H. R. 772

To amend title II of the Social Security Act to provide for full benefits for disabled widows and widowers without regard to age.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2009

Mrs. LOWEY 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 provide for full benefits for disabled widows and widowers without regard to 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. FULL BENEFITS FOR DISABLED WIDOWS AND**
4 **WIDOWERS WITHOUT REGARD TO AGE.**

5 (a) ELIGIBILITY FOR WIDOW'S INSURANCE BENE-
6 FITS.—Section 202(e) of the Social Security Act (42
7 U.S.C. 402(e)) is amended—

8 (1) in paragraph (1)(B)(ii), by striking “has at-
9 tained age 50 but has not attained age 60 and”;

1 (2) in paragraph (3)(A), by striking “after at-
 2 taining age 50 if she was entitled before such mar-
 3 riage occurred” and inserting “after having been en-
 4 titled”; and

5 (3) in paragraph (3)(B), by striking “after at-
 6 taining age 50”.

7 (b) ELIGIBILITY FOR WIDOWER’S INSURANCE BENE-
 8 FITS.—Section 202(f) of such Act (42 U.S.C. 402(f)) is
 9 amended—

10 (1) in paragraph (1)(B)(ii), by striking “has at-
 11 tained age 50 but has not attained age 60 and”;

12 (2) in paragraph (3)(A), by striking “after at-
 13 taining age 50 if he was entitled before such mar-
 14 riage occurred” and inserting “after having been en-
 15 titled”; and

16 (3) in paragraph (3)(B), by striking “after at-
 17 taining age 50”.

18 **SEC. 2. EXEMPTION FROM REDUCTIONS IN BENEFITS.**

19 Section 202(q) of the Social Security Act (42 U.S.C.
 20 402(q)) is amended—

21 (1) in paragraph (3)(A), by striking “age 50”
 22 and inserting “age 60”; and

23 (2) by adding at the end the following new
 24 paragraph:

1 “(12) Notwithstanding any other provision of this
2 section, there shall be no reduction under this subsection
3 in the widow’s or widower’s insurance benefit of an indi-
4 vidual for any month in which such individual is under
5 a disability (as defined in section 223(d)); and none of
6 the provisions of this subsection shall apply with respect
7 to such benefit even though such benefit may have been
8 so reduced prior to the onset of such disability.”.

9 **SEC. 3. EFFECTIVE DATE AND REDETERMINATION OF BEN-**
10 **EFITS.**

11 The amendments made by this Act shall apply with
12 respect to monthly insurance benefits payable under title
13 II of the Social Security Act for months after the month
14 in which this Act is enacted. The Commissioner of Social
15 Security (without the necessity of any application there-
16 for) shall redetermine the amount of any widow’s or wid-
17 ower’s insurance benefit which is payable for the month
18 in which this Act is enacted in order to reflect such
19 amendments as provided in the preceding sentence.

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