

111TH CONGRESS
1ST SESSION

S. 427

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

FEBRUARY 12, 2009

Mrs. LINCOLN (for herself, Ms. SNOWE, and Mr. JOHNSON) 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 (a) IN GENERAL.—Section 1613(e)(3) of the Social
6 Security Act (42 U.S.C. 1382b(e)(3)) is amended by add-
7 ing at the end the 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.”.

14 (b) EFFECTIVE DATE.—The amendment made by
 15 subsection (a) shall apply to payments for supplemental
 16 security income benefits under title XVI of the Social Se-
 17 curity Act for months beginning on or after the date of
 18 enactment of this Act.

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