

118TH CONGRESS
2D SESSION

H. R. 7055

To amend title XVI of the Social Security Act to provide that the supplemental security income benefits of adults with intellectual or developmental disabilities shall not be reduced by reason of marriage.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2024

Mr. VALADAO (for himself, Ms. LEE of Nevada, Mr. LAWLER, Mr. KILMER, Mr. MOLINARO, and Ms. BLUNT ROCHESTER) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title XVI of the Social Security Act to provide that the supplemental security income benefits of adults with intellectual or developmental disabilities shall not be reduced by reason of marriage.

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 “Eliminating the Mar-
5 riage Penalty in SSI Act” or the “EMPSA Act”.

1 **SEC. 2. SUPPLEMENTAL SECURITY INCOME BENEFITS.**

2 (a) ELIGIBILITY FOR BENEFITS.—Section 1611(a) of
3 the Social Security Act (42 U.S.C. 1382(a)) is amended
4 by adding at the end the following:

5 “(4) Notwithstanding paragraphs (1) and (2) of this
6 subsection, each individual who has attained 18 years of
7 age, who is diagnosed with an intellectual or develop-
8 mental disability, whose income, other than income ex-
9 cluded pursuant to section 1612(b), is at not more than
10 the rate in effect for purposes of paragraph (1)(A) of this
11 subsection, and whose resources, other than resources ex-
12 cluded pursuant to section 1613(a), are not more than the
13 applicable amount in effect for purposes of paragraph
14 (3)(B) of this subsection, shall be an eligible individual
15 for purposes of this title.”.

16 (b) AMOUNT OF BENEFIT.—Section 1611(b) of such
17 Act (42 U.S.C. 1382(b)) is amended by adding at the end
18 the following:

19 “(3) Notwithstanding paragraphs (1) and (2) of this
20 subsection, the benefit under this title for an individual
21 described in subsection (a)(4) of this section, whether or
22 not the individual has an eligible spouse, shall be payable
23 at the rate in effect for purposes of such paragraph (1),
24 reduced by the amount of income, not excluded pursuant
25 to section 1612(b), of the individual.”.

1 (c) INCOME AND RESOURCE DEEMING RULES.—Sec-
2 tion 1614(f) of such Act (42 U.S.C. 1382c(f)) is amended
3 by adding at the end the following:

4 “(5) Notwithstanding paragraph (1) of this sub-
5 section, for purposes of determining eligibility for, and the
6 amount of, benefits for an individual described in section
7 1611(a)(4) who is married, the income and resources of
8 the individual is deemed to not include any income or re-
9 sources of the spouse.”.

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