

116TH CONGRESS 1ST SESSION H. R. 4124

To amend title II of the Social Security Act to eliminate the two-year waiting period for divorced spouse's benefits following the divorce.

IN THE HOUSE OF REPRESENTATIVES

July 30, 2019

Mrs. Lowey (for herself and Mr. Schneider) 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 two-year waiting period for divorced spouse's benefits following the divorce.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 3 SECTION 1. EXEMPTION FROM TWO-YEAR WAITING PERIOD 4 FOR DIVORCED SPOUSE'S BENEFITS FOL-5 LOWING THE DIVORCE IN CASES OF PRIOR 6 RECEIPT OF SPOUSE'S BENEFITS. 7 (a) Wife's Insurance Benefits.—Section 8 202(b)(4)(A) of the Social Security Act (42 U.S.C. 402(b)(4)(A)) is amended by striking "divorced wife—"

10 and all that follows through "shall be entitled" and insert-

- 1 ing "divorced wife meets the requirements of subpara-
- 2 graphs (A) through (D) of paragraph (1), shall be enti-
- 3 tled".
- 4 (b) Husband's Insurance Benefits.—Section
- 5 202(c)(4)(A) of such Act (42 U.S.C. 402(c)(4)(A)) is
- 6 amended by striking "divorced husband—" and all that
- 7 follows through "shall be entitled" and inserting "divorced
- 8 husband meets the requirements of subparagraphs (A)
- 9 through (D) of paragraph (1), shall be entitled".
- 10 (c) Exemption From Deductions on Account of
- 11 Work.—Section 203(b)(2) of such Act (42 U.S.C.
- 12 403(b)(2)) is amended—
- 13 (1) by striking "(2)(A) Except as" and all that
- follows through "the benefit to which" and inserting
- the following: "(2) In any case in which any of the
- other persons referred to in paragraph (1)(B) are
- entitled to monthly benefits as a divorced spouse
- under subsection (b) or (c) of section 202 for any
- month, the benefit to which"; and
- 20 (2) by striking subparagraph (B).
- 21 SEC. 2. EFFECTIVE DATE.
- The amendments made by section 1 shall apply with
- 23 respect to benefits for months after the date of the enact-
- 24 ment of this Act.