

118TH CONGRESS
2D SESSION

H. R. 8487

To amend title II of the Social Security Act to exempt widows and widowers of police officers, firefighters, and correctional officers from the government pension offset.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2024

Mr. VAN DREW (for himself and Mr. BACON) 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 exempt widows and widowers of police officers, firefighters, and correctional officers from the government pension offset.

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 “Honoring Emergency
5 Response Officers’ Sacrifice Act” or the “HEROS Act”.

6 **SEC. 2. GOVERNMENT PENSION OFFSET EXEMPTION.**

7 (a) IN GENERAL.—Section 202(k)(5) of the Social
8 Security Act (42 U.S.C. 402(k)(5)) is amended by adding
9 at the end the following:

1 “(D) Subparagraph (A) shall not apply to
2 a monthly insurance benefit of an individual
3 under subsection (e), (f), or (g) if the individual
4 is entitled to such benefit on the basis of the
5 wages and self-employment income of an indi-
6 vidual who died in the line of duty while serving
7 as any of the following:

8 “(i) A Federal law enforcement officer
9 (as defined in section 2 of the Law En-
10 forcement Congressional Badge of Bravery
11 Act of 2008 (34 U.S.C. 50301(5)).

12 “(ii) A State or local law enforcement
13 officer (as defined in section 2(11) of such
14 Act (34 U.S.C. 50301(11)).

15 “(iii) An employee in fire protection
16 activities (as defined in section 3(y) of the
17 Fair Labor Standards Act of 1938 (29
18 U.S.C. 203(y)).

19 “(iv) Firefighting personnel (as de-
20 fined in section 33(a)(5) of the Federal
21 Fire Prevention and Control Act of 1974
22 (15 U.S.C. 2229(a)(5)).

23 “(v) A correctional officer (as defined
24 in section 4051(a)(1) of title 18, United
25 States Code).

1 “(vi) A State correctional officer (as
2 defined in section 1121(b)(2) of title 18,
3 United States Code).”.

4 (b) EFFECTIVE DATE.—The amendment made by
5 this Act shall apply in relation to monthly insurance bene-
6 fits payable for months beginning on or after the date of
7 enactment of this Act.

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