

109TH CONGRESS
1ST SESSION

H. R. 4328

To amend title II of the Social Security Act to restore child's insurance benefits in the case of children who are 18 through 22 years of age and attend postsecondary schools.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2005

Mr. ANDREWS 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 restore child's insurance benefits in the case of children who are 18 through 22 years of age and attend postsecondary schools.

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 “Social Security Child’s
5 Insurance Benefits Restoration Act of 2005”.

1 **SEC. 2. RESTORATION OF CHILD'S INSURANCE BENEFITS**
2 **IN THE CASE OF CHILDREN WHO ARE 18**
3 **THROUGH 22 YEARS OF AGE AND ATTEND**
4 **POSTSECONDARY SCHOOLS.**

5 (a) IN GENERAL.—Section 202(d) of the Social Secu-
6 rity Act (42 U.S.C. 402(d)) is amended—

7 (1) in paragraphs (1)(B), (1)(E)(ii), (1)(F)(i),
8 (1)(G)(ii), (6)(D)(i), (6)(E)(i), (7)(A), (7)(B), and
9 (7)(D), by striking “full-time elementary or sec-
10 ondary school student” each place it appears and in-
11 sserting “full-time student”;

12 (2) in paragraphs (1)(B)(i), (1)(F)(ii),
13 (1)(G)(iii), (6)(D)(ii), (6)(E)(ii), and (7)(D), by
14 striking “19” each place it appears and inserting
15 “22”;

16 (3) in paragraphs (7)(A), (7)(B), and (7)(D),
17 by striking “elementary or secondary school” each
18 place it appears and inserting “educational institu-
19 tion”; and

20 (4) by striking paragraph (7)(C) and inserting
21 the following:

22 “(C) An ‘educational institution’ is (i) a school or col-
23 lege or university operated or directly supported by the
24 United States, or by any State or local government or po-
25 litical subdivision thereof, or (ii) a school or college or uni-
26 versity which has been approved by a State or accredited

1 by a State-recognized or nationally-recognized accrediting
2 agency or body, or (iii) a non-accredited school or college
3 or university whose credits are accepted, on transfer, by
4 not less than three institutions which are so accredited,
5 for credit on the same basis as if transferred from an insti-
6 tution so accredited.”.

7 (b) CONFORMING AMENDMENTS.—Section 202(d) of
8 such Act is amended further—

9 (1) by striking paragraph (6)(A) and inserting
10 the following:

11 “(A)(i) is a full-time student or is under a dis-
12 ability (as defined in section 223(d)), and (ii) has
13 not attained the age of 22, or”;

14 (2) in paragraph (7)(A), by striking “schools
15 involved” and inserting “institutions involved”; and

16 (3) in paragraph (7)(D), by striking “diploma
17 or equivalent certificate from a secondary school (as
18 defined in subparagraph (C)(i)” and inserting “de-
19 gree from a four-year college or university”.

20 **SEC. 3. EFFECTIVE DATE.**

21 (a) IN GENERAL.—The amendments made by this
22 Act shall apply to child’s insurance benefits under section
23 202(d) of the Social Security Act for months ending after
24 the date of the enactment of this Act.

1 (b) RETROACTIVE TREATMENT FOR EXISTING STU-
2 DENTS.—

3 (1) IN GENERAL.—A qualified student, upon fil-
4 ing application for child’s insurance benefits under
5 section 202(d) of the Social Security Act within 180
6 days after the date of the enactment of this Act,
7 shall be entitled to benefits under such section as
8 if—

9 (A) such student had filed application for
10 such benefits on the first date as of which such
11 student was a full-time student (as defined in
12 section 202(d)(7)(A) of the Social Security Act
13 (as amended by this Act)) and had attained the
14 age of 18 but had not attained the age of 22,
15 and

16 (B) the amendments made by this Act ap-
17 plied with respect to benefits for months ending
18 after the date described in subparagraph (A).

19 (2) QUALIFIED STUDENT.—For purposes of
20 paragraph (1), the term “qualified student” means
21 an individual who—

22 (A) was not entitled to child’s insurance
23 benefits under section 202(d) of the Social Se-
24 curity Act for the month preceding the date of
25 the enactment of this Act,

1 (B) has attained 18 years of age as of such
2 date, and

3 (C) as of such date, is a full-time student
4 (as defined in section 202(d)(7)(A) of the So-
5 cial Security Act (as amended by this Act)) and
6 has not attained the age of 22.

○