

114TH CONGRESS
2D SESSION

H. R. 5059

To amend title 38, United States Code, to modify the definition of “surviving spouse” for purposes of the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2016

Ms. BROWN of Florida introduced the following bill; which was referred to the Committee on Veterans’ Affairs

A BILL

To amend title 38, United States Code, to modify the definition of “surviving spouse” for purposes of the laws administered by the Secretary of Veterans Affairs, and for other purposes.

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 “Love Lives On Act
5 of 2016”.

1 **SEC. 2. MODIFICATION OF DEFINITION OF “SURVIVING**
2 **SPOUSE” FOR PURPOSES OF LAWS ADMINIS-**
3 **TERED BY SECRETARY OF VETERANS AF-**
4 **FAIRS.**

5 (a) IN GENERAL.—Section 101(3) of title 38, United
6 States Code, is amended by striking “and who has not
7 remarried” and all that follows through “such other per-
8 son”.

9 (b) CONFORMING AMENDMENTS.—Such title is fur-
10 ther amended as follows:

11 (1) In section 103—

12 (A) by striking subsection (d); and

13 (B) by redesignating subsection (e) as sub-
14 section (d).

15 (2) In section 1922(b)(2)(A), by striking “and
16 while unremarried”.

17 (3) In section 2306(b)(4), by striking “sub-
18 section:” and all that follows and inserting the fol-
19 lowing: “subsection, the term ‘veteran’ includes an
20 individual who dies in the military, naval, or air
21 service.”.

22 (4) In section 2402(a)(5), by striking “(which
23 for purposes of this chapter includes a surviving
24 spouse who had a subsequent remarriage)”.

25 (5) In section 5110(l), by inserting after “re-
26 marriage by death or divorce” the following: “occur-

1 ring before the date of the enactment of the Love
2 Lives on Act of 2016”.

3 (6) In section 5120—

4 (A) in subsection (b), by striking “or in
5 the case of a surviving spouse, if the postal em-
6 ployee believes that the surviving spouse has re-
7 married (unless the mail is addressed to the
8 surviving spouse in the name the surviving
9 spouse has acquired by the remarriage)”; and

10 (B) in subsection (c), by striking “or re-
11 marriage” both places it appears.

12 (7) In section 5121(3), by striking “or remar-
13 ried surviving spouse”.

14 (8) In section 7297(f)(2), by striking “termi-
15 nated” and all that follows through the period and
16 inserting “upon the surviving spouse’s death.”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this Act shall take effect on the date of the enactment
19 of this Act and shall apply with respect to benefits payable
20 for months beginning on or after such date.

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