

116TH CONGRESS  
1ST SESSION

# H. R. 4280

To amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2019

Mr. GRIJALVA (for himself, Mr. LANGEVIN, Ms. NORTON, Ms. MOORE, Mr. ESPAILLAT, Mr. CÁRDENAS, Mr. GALLEGRO, Mr. RASKIN, Mr. LOWENTHAL, Ms. VELÁZQUEZ, Mr. SIRES, Mr. MCNERNEY, Mrs. WATSON COLEMAN, Mr. COHEN, Ms. SLOTKIN, Ms. KAPTUR, Mr. SABLAN, Ms. TLAIB, Mr. GREEN of Texas, Ms. LEE of California, and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, 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 “Supplemental Security  
5 Income Restoration Act of 2019”.

1 **SEC. 2. UPDATE IN ELIGIBILITY FOR THE SUPPLEMENTAL**  
2 **SECURITY INCOME PROGRAM.**

3 (a) UPDATE IN GENERAL INCOME EXCLUSION.—  
4 Section 1612(b)(2)(A) of the Social Security Act (42  
5 U.S.C. 1382a(b)(2)(A)) is amended by striking “\$240”  
6 and inserting “\$1,476 (increased as described in section  
7 1617(d) for each calendar year after 2020)”.

8 (b) UPDATE IN EARNED INCOME EXCLUSION.—Sec-  
9 tion 1612(b)(4) of such Act (42 U.S.C. 1382a(b)(4)) is  
10 amended by striking “\$780” each place it appears and  
11 inserting “\$4,788 (increased as described in section  
12 1617(d) for each calendar year after 2020)”.

13 (c) UPDATE IN RESOURCE LIMIT FOR INDIVIDUALS  
14 AND COUPLES.—Section 1611(a)(3) of such Act (42  
15 U.S.C. 1382(a)(3)) is amended—

16 (1) in subparagraph (A), by striking “\$2,250”  
17 and all that follows through the end of the subpara-  
18 graph and inserting “\$20,000 in calendar year  
19 2020, and shall be increased as described in section  
20 1617(d) for each subsequent calendar year.”; and

21 (2) in subparagraph (B), by striking “\$1,500”  
22 and all that follows through the end of the subpara-  
23 graph and inserting “\$10,000 in calendar year  
24 2020, and shall be increased as described in section  
25 1617(d) for each subsequent calendar year.”.

1 (d) INFLATION ADJUSTMENT.—Section 1617 of such  
2 Act (42 U.S.C. 1382f) is amended—

3 (1) in the section heading, by inserting “; infla-  
4 tion adjustment” after “benefits”; and

5 (2) by adding at the end the following:

6 “(d) In the case of any calendar year after 2020, each  
7 of the amounts specified in sections 1611(a)(3),  
8 1612(b)(2)(A), and 1612(b)(4) shall be increased by mul-  
9 tiplying each such amount by the quotient (not less than  
10 1) obtained by dividing—

11 “(1) the average of the Consumer Price Index  
12 for Elderly Consumers (CPI-E, as published by the  
13 Bureau of Labor Statistics of the Department of  
14 Labor) for the 12-month period ending with Sep-  
15 tember of the preceding calendar year, by

16 “(2) such average for the 12-month period end-  
17 ing with September 2019.”.

18 **SEC. 3. SUPPORT AND MAINTENANCE FURNISHED IN KIND**

19 **NOT INCLUDED AS INCOME.**

20 (a) IN GENERAL.—Section 1612(a)(2) of such Act  
21 (42 U.S.C. 1382a(a)(2)) is amended—

22 (1) by inserting “(other than support or main-  
23 tenance furnished in kind)” after “all other income”;

24 and

25 (2) in subparagraph (A)—

1 (A) by striking “or kind”;

2 (B) by striking clause (i) and redesignig-  
3 nating clauses (ii) and (iii) as clauses (i) and  
4 (ii), respectively; and

5 (C) in clause (ii) (as so redesignated), by  
6 striking “and the provisions of clause (i) shall  
7 not be applicable”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) Section 1611(c) of such Act (42 U.S.C.  
10 1382(e)) is amended by striking paragraph (6) and  
11 redesignating paragraphs (7) through (10) as para-  
12 graphs (6) through (9), respectively.

13 (2) Section 1612(a)(2) of such Act (42 U.S.C.  
14 1382a(a)(2)) is amended—

15 (A) in subparagraph (F), by inserting  
16 “and” at the end;

17 (B) in subparagraph (G), by striking “;  
18 and” and inserting a period;

19 (C) by moving subparagraph (G) 2 ems to  
20 the right; and

21 (D) by striking subparagraph (H).

22 (3) Section 1621(c) of such Act (42 U.S.C.  
23 1382j(c)) is amended to read as follows:

24 “(c) In determining the amount of income of an alien  
25 during the period of 5 years after such alien’s entry into

1 the United States, support or maintenance furnished in  
2 cash to the alien by such alien's sponsor (to the extent  
3 that it reflects income or resources which were taken into  
4 account in determining the amount of income and re-  
5 sources to be deemed to the alien under subsection (a)  
6 or (b) of this section) shall not be considered to be income  
7 of such alien under section 1612(a)(2)(A).”.

8 **SEC. 4. REPEAL OF PENALTY FOR DISPOSAL OF RE-**  
9 **SOURCES FOR LESS THAN FAIR MARKET**  
10 **VALUE.**

11 Section 1613(c) of such Act (42 U.S.C. 1382b(c)) is  
12 amended to read as follows:

13 “(c) NOTIFICATION OF MEDICAID POLICY RESTRICT-  
14 ING ELIGIBILITY OF INSTITUTIONALIZED INDIVIDUALS  
15 FOR BENEFITS BASED ON DISPOSAL OF RESOURCES FOR  
16 LESS THAN FAIR MARKET VALUE.—(1) At the time an  
17 individual (and the individual's eligible spouse, if any) ap-  
18 plies for benefits under this title, and at the time the eligi-  
19 bility of an individual (and such spouse, if any) for such  
20 benefits is redetermined, the Commissioner of Social Secu-  
21 rity shall—

22 “(A) inform such individual of the provisions of  
23 section 1917(c) providing for a period of ineligibility  
24 for benefits under title XIX for individuals who  
25 make certain dispositions of resources for less than

1 fair market value, and inform such individual that  
2 information obtained pursuant to subparagraph (B)  
3 will be made available to the State agency admin-  
4 istering a State plan under title XIX (as provided in  
5 paragraph (2)); and

6 “(B) obtain from such individual information  
7 which may be used by the State agency in deter-  
8 mining whether or not a period of ineligibility for  
9 such benefits would be required by reason of section  
10 1917(e).

11 “(2) The Commissioner of Social Security shall make  
12 the information obtained under paragraph (1)(B) avail-  
13 able, on request, to any State agency administering a  
14 State plan approved under title XIX.”.

15 **SEC. 5. REPEAL OF MARRIAGE PENALTY.**

16 (a) IN GENERAL.—Section 1611(b)(2) of the Social  
17 Security Act (42 U.S.C. 1382(b)(2)) is amended by strik-  
18 ing “payable at the rate of” and all that follows through  
19 the end of the paragraph and inserting “payable—

20 “(A) for calendar years 1974 through 2019, at  
21 the rate of \$2,628 (or, if greater, the amount deter-  
22 mined under section 1617); and

23 “(B) for calendar year 2020 and any calendar  
24 year thereafter, at twice the rate applicable for such

1 calendar year under paragraph (1) for an individual  
2 who does not have an eligible spouse,  
3 reduced by the amount of income, not excluded pursuant  
4 to section 1612(b), of such individual and spouse.”.

5 (b) CONFORMING AMENDMENT.—Section 1617(a)(1)  
6 of such Act (42 U.S.C. 1382(a)(1)) is amended by striking  
7 “subsections (a)(1)(A), (a)(2)(A), (b)(1), and (b)(2)” and  
8 inserting “subsections (a)(1)(A) and (a)(2)(A)”.

9 **SEC. 6. CLARIFYING THE TREATMENT OF CERTAIN STATE**  
10 **TAX CREDITS.**

11 Title XVI of the Social Security Act (42 U.S.C.  
12 1382a) is amended—

13 (1) in section 1612(b)(19), by striking “and  
14 any payment” and all that follows through “credit)”  
15 and inserting “and any refund of State income taxes  
16 made to such individual (or such spouse) by reason  
17 of a State earned income tax credit (as defined by  
18 the Secretary)”; and

19 (2) in section 1613(a)(11)—

20 (A) in subparagraph (A), by inserting “,  
21 and any refund of State income taxes made to  
22 such individual (or such spouse) by reason of a  
23 State child tax credit (as defined by the Sec-  
24 retary)” before the semicolon; and

1           (B) in subparagraph (B), by striking “and  
2           any payment” and all that follows through  
3           “credit)” and inserting “and any refund of  
4           State income taxes made to such individual (or  
5           such spouse) by reason of a State earned in-  
6           come tax credit (as defined by the Secretary)”.

7 **SEC. 7. EFFECTIVE DATE.**

8           The amendments made by this Act shall take effect  
9           on the date that is 6 months after the date of the enact-  
10          ment of this Act.

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