

118TH CONGRESS  
1ST SESSION

# S. 2800

To amend the Internal Revenue Code of 1986 to provide for a temporary reduction of the inclusion in gross income for old-age and survivors insurance benefit payments under the Social Security Act, as well as tier 1 railroad retirement benefits.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2023

Mr. RICKETTS introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to provide for a temporary reduction of the inclusion in gross income for old-age and survivors insurance benefit payments under the Social Security Act, as well as tier 1 railroad retirement benefits.

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 Check  
5 Tax Cut Act”.

1 **SEC. 2. TEMPORARY REDUCTION OF INCLUSION IN GROSS**  
2 **INCOME FOR OLD-AGE AND SURVIVORS IN-**  
3 **SURANCE BENEFIT PAYMENTS.**

4 (a) IN GENERAL.—Section 86 of the Internal Rev-  
5 enue Code of 1986 is amended by adding at the end the  
6 following new subsection:

7 “(g) SPECIAL RULES FOR TAXABLE YEARS 2024  
8 AND 2025.—

9 “(1) IN GENERAL.—In the case of a taxable  
10 year beginning after December 31, 2023, and before  
11 January 1, 2026, this section shall be applied as  
12 provided in paragraphs (2) and (3).

13 “(2) SEPARATE APPLICATION FOR RETIREMENT  
14 AND DISABILITY BENEFITS.—Subsection (a) shall be  
15 applied separately with respect to—

16 “(A) any social security benefits received  
17 by the taxpayer by reason of entitlement to—

18 “(i) a monthly benefit under section  
19 202 of the Social Security Act (42 U.S.C.  
20 402), or

21 “(ii) a tier 1 railroad retirement ben-  
22 efit, and

23 “(B) any social security benefits received  
24 by the taxpayer by reason of entitlement to a  
25 monthly benefit under section 223 of the Social  
26 Security Act (42 U.S.C. 423).

1           “(3) REDUCTION OF INCLUSION IN GROSS IN-  
2           COME FOR OLD-AGE AND SURVIVORS INSURANCE  
3           BENEFIT PAYMENTS.—For purposes of any social  
4           security benefits which are described in paragraph  
5           (2)(A), in lieu of the amount determined under sub-  
6           section (a) (after the application of paragraph (2))  
7           with respect to such benefits, the amount of such  
8           benefits which are included in the gross income of  
9           the taxpayer under this section shall be equal to—

10                   “(A) the amount otherwise determined  
11                   under subsection (a) (after the application of  
12                   paragraph (2)) with respect to such benefits,  
13                   minus

14                   “(B) an amount equal to—

15                           “(i) in the case of a taxable year be-  
16                           ginning after December 31, 2023, and be-  
17                           fore January 1, 2025, 10 percent of the  
18                           amount determined under subparagraph  
19                           (A), and

20                           “(ii) In the case of a taxable year be-  
21                           ginning after December 31, 2024, and be-  
22                           fore January 1, 2026, 20 percent of the  
23                           amount determined under subparagraph  
24                           (A).”.

1           (b) PROTECTION OF TRUST FUNDS.—There are  
2 hereby appropriated to the Federal Old-Age and Survivors  
3 Trust Fund and the Federal Disability Insurance Trust  
4 Fund established under section 201 of the Social Security  
5 Act (42 U.S.C. 401), as well as the Medicare Hospital In-  
6 surance Trust Fund established under section 1817(a) of  
7 the Social Security Act (42 U.S.C. 1395i(a)), amounts  
8 equal to the reduction in revenues to the Treasury by rea-  
9 son of the amendment made by subsection (a). Amounts  
10 appropriated by the preceding sentence shall be trans-  
11 ferred from the general fund at such times and in such  
12 manner as to replicate to the extent possible the transfers  
13 which would have occurred to each such Trust Fund had  
14 such amendment not been enacted.

15           (c) EFFECTIVE DATE.—The amendment made by  
16 subsection (a) shall apply to taxable years beginning after  
17 December 31, 2023.

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