

112TH CONGRESS  
1ST SESSION

# H. R. 2103

To modify certain requirements for countable resources and income under the Supplemental Security Income program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 2011

Ms. TSONGAS (for herself, Mr. PETRI, Ms. SCHAKOWSKY, Mr. TOWNS, Ms. WILSON of Florida, Mr. McDERMOTT, and Mr. ELLISON) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To modify certain requirements for countable resources and income under 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 “SSI Savers Act of  
5 2011”.

1 **SEC. 2. INCREASE IN RESOURCE LIMITS; INFLATION AD-**  
2 **JUSTMENT.**

3 (a) INCREASE IN RESOURCE LIMITS.—Section  
4 1611(a)(3) of the Social Security Act (42 U.S.C.  
5 1382(a)(3)) is amended—

6 (1) in subparagraph (A)—

7 (A) by striking “and” the last place it ap-  
8 pears; and

9 (B) by inserting “, and to \$7,500 on Janu-  
10 ary 1 of the first calendar year that begins  
11 after the date of the enactment of the SSI Sav-  
12 ers Act of 2011” before the period; and

13 (2) in subparagraph (B)—

14 (A) by striking “and” the last place it ap-  
15 pears; and

16 (B) by inserting “, and to \$5,000 on Janu-  
17 ary 1 of the first calendar year that begins  
18 after the date of the enactment of the SSI Sav-  
19 ers Act of 2011” before the period.

20 (b) INFLATION ADJUSTMENT.—Section 1611(a)(3)  
21 of such Act (42 U.S.C. 1382(a)(3)) is amended by adding  
22 at the end the following:

23 “(C) ADJUSTMENT FOR INFLATION.—

24 “(i) IN GENERAL.—Whenever dollar  
25 amounts in effect under paragraphs (1)(A)  
26 and (2)(A) of this subsection are increased

1 by a percentage under section 1617, each  
2 of the dollar amounts in effect under this  
3 paragraph shall be increased by the same  
4 percentage, and rounded to the closest  
5 multiple of \$100.

6 “(ii) REQUIREMENT.—Each adjust-  
7 ment under clause (i) shall be based on the  
8 unrounded amount for the prior 12-month  
9 period.”.

10 **SEC. 3. LIMITED EXCLUSION FROM RESOURCES OF CER-**  
11 **TAIN DEFERRED COMPENSATION AND EDU-**  
12 **CATION SAVINGS ARRANGEMENTS.**

13 Section 1613 of the Social Security Act (42 U.S.C.  
14 1382b) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (16), by striking “and”  
17 at the end;

18 (B) in paragraph (17), by striking the pe-  
19 riod and inserting a semicolon; and

20 (C) by inserting after paragraph (17) the  
21 following:

22 “(18) if the individual is not described in sec-  
23 tion 1611(e)(1)(B) of this Act, the value of any as-  
24 sets in a plan, contract, or account, annuity, or trust  
25 described in section 401(a), 403(a), 403(b), 408,

1 408A, 414(d), 457(b), or 501(c)(18) of the Internal  
2 Revenue Code of 1986, any retirement program or  
3 account included in any successor or similar provi-  
4 sion that may be enacted and determined to be ex-  
5 empt from tax under the Internal Revenue Code of  
6 1986, and any other retirement plan, contract, ac-  
7 count, annuity, or trust, as determined in the sole  
8 discretion of the Commissioner, except that if the in-  
9 dividual has attained 65 years of age, the total  
10 amount excluded under this paragraph shall not ex-  
11 ceed—

12 “(A) \$50,000 (or, if greater, the amount  
13 determined under subsection (f) of this section)  
14 if the individual does not have an eligible  
15 spouse; or

16 “(B) \$75,000 (or, if greater, the amount  
17 determined under such subsection (f)) if the in-  
18 dividual has an eligible spouse; and

19 “(19) if the individual has not attained 65  
20 years of age, the value of—

21 “(A) any funds in a qualified tuition pro-  
22 gram (as defined in section 529 of the Internal  
23 Revenue Code of 1986) or in a Coverdell edu-  
24 cation savings account (as defined in section  
25 530 of such Code);

1           “(B) any other education program, con-  
2           tract, or account, as determined in the sole dis-  
3           cretion of the Commissioner; and

4           “(C) any individual development account  
5           established pursuant to the Assets for Inde-  
6           pendence Act or section 333B of the Consoli-  
7           dated Farm and Rural Development Act, or  
8           under an individual development account pro-  
9           gram funded and administered by a Federal or  
10          State agency or by a nonprofit organization de-  
11          scribed in section 501(c) of the Internal Rev-  
12          enue Code of 1986, as determined in the sole  
13          discretion of the Commissioner.”; and

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

15          “(f) ADJUSTMENT FOR INFLATION.—

16                 “(1) IN GENERAL.—Whenever dollar amounts  
17                 in effect under paragraphs (1)(A) and (2)(A) of sec-  
18                 tion 1611(a) are increased by a percentage under  
19                 section 1617, each of the dollar amounts in effect  
20                 under subsection (a)(18) of this section shall be in-  
21                 creased by the same percentage, and rounded to the  
22                 closest multiple of \$100.

23                 “(2) REQUIREMENT.—Each adjustment under  
24                 paragraph (1) shall be based on the unrounded  
25                 amount for the prior 12-month period.”.

1 **SEC. 4. INCOME RULES APPLICABLE TO CERTAIN DE-**  
2 **FERRED COMPENSATION ARRANGEMENTS.**

3 (a) IMPUTATION OF INCOME IN CERTAIN CASES.—  
4 Section 1612 of the Social Security Act (42 U.S.C. 1382a)  
5 is amended by adding at the end the following:

6 “Imputation of Income From Certain Deferred  
7 Compensation Arrangements

8 “(c)(1) If the aggregate value of the assets described  
9 in section 1613(a)(18) of an eligible individual who has  
10 attained 65 years of age and is not described in section  
11 1611(e)(1)(B) exceeds—

12 “(A) \$10,000 (or, if greater, the amount deter-  
13 mined under paragraph (2) of this subsection) if the  
14 individual does not have an eligible spouse; or

15 “(B) \$15,000 (or, if greater, the amount deter-  
16 mined under such paragraph (2)) if the individual  
17 has an eligible spouse,

18 but does not exceed the dollar amount in effect with re-  
19 spect to the individual under section 1613(a)(18), the as-  
20 sets shall be considered income in an amount equal to the  
21 annuity value of the assets (as determined under regula-  
22 tions of the Commissioner of Social Security).

23 “(2)(A) Whenever dollar amounts in effect under  
24 paragraphs (1)(A) and (2)(A) of section 1611(a) are in-  
25 creased by a percentage under section 1617, each of the  
26 dollar amounts in effect under paragraph (1) of this sub-

1 section shall be increased by the same percentage, and  
2 rounded to the closest multiple of \$100.

3 “(B) Each adjustment under paragraph (1) shall be  
4 based on the unrounded amount for the prior 12-month  
5 period.”.

6 (b) EXCLUSION OF ONE-THIRD OF DISTRIBUTIONS.—Section 1612(b) of such Act (42 U.S.C.  
7 1382a(b)) is amended—

9 (1) by striking “and” at the end of paragraph  
10 (24);

11 (2) by striking the period at the end of para-  
12 graph (25) and inserting “; and”; and

13 (3) by adding at the end the following:

14 “(26) one-third of the value of any assets de-  
15 scribed in section 1613(a)(18) distributed to such  
16 individual (or such spouse).”.

17 **SEC. 5. ELIMINATION OF REQUIREMENT THAT SSI RECIPI-**  
18 **ENTS APPLY FOR PERIODIC PAYMENTS FROM**  
19 **CERTAIN DEFERRED COMPENSATION AR-**  
20 **RANGEMENTS.**

21 Section 1611(e)(2) of the Social Security Act (42  
22 U.S.C. 1382(e)(2)) is amended by inserting “(other than  
23 payments from a plan, contract, account, annuity, or trust  
24 referred to in section 1613(a)(18))” after “section  
25 1612(a)(2)(B)”.

1 **SEC. 6. EFFECTIVE DATE.**

2       The amendments made by this Act shall apply to ben-  
3 efits for calendar months beginning after the date of the  
4 enactment of this Act.

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