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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend title XVI of the Social Security Act to provide that the supplemental security income benefits of adults with intellectual or developmental disabilities shall not be reduced by reason of marriage.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. VALADAO introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend title XVI of the Social Security Act to provide that the supplemental security income benefits of adults with intellectual or developmental disabilities shall not be reduced by reason of marriage.

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 “Eliminating the Mar-  
5       riage Penalty in SSI Act” or the “EMPSA Act”.

1 **SEC. 2. SUPPLEMENTAL SECURITY INCOME BENEFITS.**

2 (a) ELIGIBILITY FOR BENEFITS.—Section 1611(a) of  
3 the Social Security Act (42 U.S.C. 1382(a)) is amended  
4 by adding at the end the following:

5 “(4) Notwithstanding paragraphs (1) and (2) of this  
6 subsection, each individual who has attained 18 years of  
7 age, who is diagnosed with an intellectual or develop-  
8 mental disability, whose income, other than income ex-  
9 cluded pursuant to section 1612(b), is at not more than  
10 the rate in effect for purposes of paragraph (1)(A) of this  
11 subsection, and whose resources, other than resources ex-  
12 cluded pursuant to section 1613(a), are not more than the  
13 applicable amount in effect for purposes of paragraph  
14 (3)(B) of this subsection, shall be an eligible individual  
15 for purposes of this title.”.

16 (b) AMOUNT OF BENEFIT.—Section 1611(b) of such  
17 Act (42 U.S.C. 1382(b)) is amended by adding at the end  
18 the following:

19 “(3) Notwithstanding paragraphs (1) and (2) of this  
20 subsection, the benefit under this title for an individual  
21 described in subsection (a)(4) of this section, whether or  
22 not the individual has an eligible spouse, shall be payable  
23 at the rate in effect for purposes of such paragraph (1),  
24 reduced by the amount of income, not excluded pursuant  
25 to section 1612(b), of the individual.”.

1           (c) INCOME AND RESOURCE DEEMING RULES.—Sec-  
2   tion 1614(f) of such Act (42 U.S.C. 1382c(f)) is amended  
3   by adding at the end the following:

4           “(5) Notwithstanding paragraph (1) of this sub-  
5   section, for purposes of determining eligibility for, and the  
6   amount of, benefits for an individual described in section  
7   1611(a)(4) who is married, the income and resources of  
8   the individual is deemed to not include any income or re-  
9   sources of the spouse.”.