

117TH CONGRESS  
1ST SESSION

# H. R. 3905

To amend title II of the Social Security Act to waive the 2-year duration of divorce requirement, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2021

Mr. HERN (for himself and Mr. REED) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title II of the Social Security Act to waive the 2-year duration of divorce requirement, 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 “Social Security Parity  
5       Act”.

6       **SEC. 2. WAIVE 2-YEAR DURATION OF DIVORCE REQUIRE-**  
7       **MENT.**

8       (a)   WIFE’S   INSURANCE   BENEFITS.—Section  
9       202(b)(4)(A) of the Social Security Act (42 U.S.C.  
10       402(b)(4)(A)) is amended by adding at the end the fol-

1    lowing new sentence: “The criterion for entitlement under  
2    clause (ii) shall be deemed met upon the remarriage of  
3    the insured individual to someone other than the applicant  
4    during the 2-year period referred to in such clause.”.

5           (b) HUSBAND’S INSURANCE BENEFITS.—Section  
6    202(c)(4)(A) of such Act (42 U.S.C. 402(c)(4)(A)) is  
7    amended by adding at the end the following new sentence:  
8    “The criterion for entitlement under clause (ii) shall be  
9    deemed met upon the remarriage of the insured individual  
10   to someone other than the applicant during the 2-year pe-  
11   riod referred to in such clause.”.

12          (c) EFFECTIVE DATE.—The amendments made by  
13   this section shall apply with respect to benefits payable  
14   for months after December 2022 and for which applica-  
15   tions are filed after December 2022.

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