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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Social Security Act to prevent the Commissioner from collecting overpayments from a child in certain circumstances, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GOLDEN of Maine introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Social Security Act to prevent the Commissioner from collecting overpayments from a child in certain circumstances, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Children Are Relieved of Overpayments Act''.

SEC. 2. PREVENTING COLLECTION OF OVERPAYMENTS FROM CHILDREN WITH RESPECT TO DISABILITY PAYMENTS MADE TO THEIR PARENTS.

(a) IN GENERAL.—Section 204(b) of the Social Security Act (42 U.S.C. 404(b)) is amended by adding at the end the following:

''(4) In any case in which a payment is made in more than the correct amount to an individual receiving a benefit on the basis of a disability under section 202 or 223 while the individual has a person in their care who is entitled to a benefit under section 202(d), there shall be no adjustment of payments to, or recovery by the United States from, such person for any such payment made to such individual while the person was entitled to a benefit under section 202(d).

''(5) In any case in which a payment is made in more than the correct amount to a representative payee on behalf of an individual entitled to a benefit under section 202(d), there shall be no adjustment of payments to, or recovery by the United States from, such individual for any such payment made to the representative payee on behalf of such individual.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to any overpayment that is outstanding on or after the date of enactment of this Act.

SEC. 3. LIMITING THE LOOK BACK PERIOD FOR OVERPAYMENTS.

(a) TITLE II.—Section 204 of the Social Security Act (42 U.S.C. 404) is amended by adding at the end the following:

''(h) In any case in which more than the correct amount of a payment has been made to a person under this title, there shall be no adjustment of payments to, or recovery by the United States from, the person, unless the Commissioner notifies the person of the overpayment within 6 years of the date on which the Commissioner made such payment.''.

(b) TITLE XVI.—Section 1631(b) of such Act (42 U.S.C. 1383(b)) is amended by adding at the end the following:

''(9) In any case in which more than the correct amount of a payment has been made to a person under this title, there shall be no adjustment of payments to, or recovery by the United States from, the person, unless the Commissioner notifies the person

of overpayment within 6 years of the date on which the Commissioner made such payment.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to any overpayment that is outstanding on or after the date of enactment of this Act and with respect to which no adjustment or recovery has occurred.