

112 H.R. 4329

AS INTRODUCED IN THE HOUSE; Date of Introduction March 29, 2012

Reporter: 2012 H.R. 4329; 112 H.R. 4329

FULL TEXT OF BILLS > 112th Congress, 2nd Session > IN THE HOUSE OF REPRESENTATIVES > H.R. 4329

Synopsis

A bill to amend title 10, United States Code, to provide for the payment of monthly annuities under the Survivor Benefit Plan to a supplemental or special needs trust established for the sole benefit of a *disabled* dependent *child* of a participant in the Survivor Benefit Plan

Text

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 '*Disabled Military Child* Protection Act of 2012'.

SEC. 2. SURVIVOR BENEFIT PLAN ANNUITIES FOR SPECIAL NEEDS TRUSTS ESTABLISHED FOR THE BENEFIT OF DEPENDENT *CHILDREN* INCAPABLE OF SELF-SUPPORT.

(a) Special Needs Trust as Eligible Beneficiary.--

(1) IN GENERAL.--

Subsection (a) of [section 1450 of title 10, United States Code](#), is amended--

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following new paragraph (4):

'(4) SPECIAL NEEDS TRUSTS FOR SOLE BENEFIT OF CERTAIN DEPENDENT *CHILDREN*.--

Notwithstanding subsection (i), a supplemental or special needs trust described in subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act ([42 U.S.C. 1396p\(d\)\(4\)](#)) that is established for the sole benefit of a dependent *child* considered *disabled* under section 1614(a)(3) of that Act ([42 U.S.C. 1382c\(a\)\(3\)](#)) who is incapable of self-support because of mental or physical incapacity.'

(2) CONFORMING AMENDMENT.--

Subsection (i) of such section is amended by inserting '(a)(4) or' after 'subsection'.

(b) Regulations.-- Section 1455(d) of such title is amended--

(1)

in the subsection heading, by striking 'and Fiduciaries' and inserting ', Fiduciaries, and Special Needs Trusts';

(2)

in paragraph (1)--

(A) in subparagraph (A), by striking 'and' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting '; and'; and

(C) by adding at the end the following new subparagraph:

'(C) a dependent *child* incapable of self-support because of mental or physical incapacity for whom a supplemental or special needs trust, as described in subparagraph (A) or (C) of sec-

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tion 1917(d)(4) of the Social Security Act ([42 U.S.C. 1396p\(d\)\(4\)](#)), has been established.’;

(3)

in paragraph (2)--

- (A) by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively;
- (B) by inserting after subparagraph (B) the following new subparagraph (C):
 - ’(C) In the case of an annuitant referred to in paragraph (1)(C), payment of the annuity to the supplemental or special needs trust established for the annuitant.’;
- (C) in subparagraph (D), as redesignated, by striking ’subparagraphs (D) and (E)’ and inserting ’subparagraphs (E) and (F)’; and
- (D) in subparagraph (H), as so redesignated--
 - (i) by inserting ’or (1)(C)’ after ’paragraph (1)(B)’ in the matter preceding clause (i);
 - (ii) in clause (i), by striking ’and’ at the end;
 - (iii) in clause (ii), by striking the period at the end and inserting ’; and’; and
 - (iv) by adding at the end the following new clause:
 - ’(iii) procedures for determining when annuity payments to a supplemental or special needs trust shall end based on the death or marriage of the dependent *child* for which the trust was established.’; and

(4)

in paragraph (3), by striking ’TO GUARDIAN OR FIDUCIARY’ in the paragraph heading.

History

Mr. MORAN (for himself, Mrs. CAPPS, Mr. POLIS, Mr. RANGEL, and Mr. ROTHMAN of New Jersey) introduced the following bill; which was referred to the Committee on Armed Services

March 29, 2012

Sponsor(s)

Sponsor and Cosponsors as of 03/29/2012
 Moran, James P. (D-VA) - Sponsor
 Capps, Lois (D-CA) - Cosponsor
 Polis, Jared (D-CO) - Cosponsor
 Rangel, Charles B. (D-NY) - Cosponsor
 Rothman, Steve (D-NJ) - Cosponsor

Classification

Subject: LEGISLATIVE BODIES (90%); PERSONAL TRUSTS (89%); *CHILDREN* (89%); SOCIAL SECURITY (78%); US SOCIAL SECURITY ACTS (78%)

Load-Date: April 6, 2012

FULL TEXT OF BILLS
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113 H.R. 2249

AS INTRODUCED IN THE HOUSE; Date of Introduction June 4, 2013

Reporter: 2013 H.R. 2249; 113 H.R. 2249

FULL TEXT OF BILLS > 113th Congress, 1st Session > IN THE HOUSE OF REPRESENTATIVES > H.R. 2249

Synopsis

A BILL to amend title 10, United States Code, to provide for the payment of monthly annuities under the Survivor Benefit Plan to a supplemental or special needs trust established for the sole benefit of a *disabled* dependent *child* of a participant in the Survivor Benefit Plan.

Text

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 "*Disabled Military Child* Protection Act of 2013".

SEC. 2. SURVIVOR BENEFIT PLAN ANNUITIES FOR SPECIAL NEEDS TRUSTS ESTABLISHED FOR THE BENEFIT OF DEPENDENT *CHILDREN* INCAPABLE OF SELF-SUPPORT.

(a) SPECIAL NEEDS TRUST AS ELIGIBLE BENEFICIARY.-

(1) IN GENERAL.-

Subsection (a) of [section 1450 of title 10, United States Code](#), is amended-

- (A) by redesignating paragraph (4) as paragraph (5); and
- (B) by inserting after paragraph (3) the following new paragraph (4):

*"(4) SPECIAL NEEDS TRUSTS FOR SOLE BENEFIT OF CERTAIN DEPENDENT *CHILDREN*.-*

Notwithstanding subsection (i), a supplemental or special needs trust described in subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act ([42 U.S.C. 1396p\(d\)\(4\)](#)) that is established for the sole benefit of a dependent *child* considered *disabled* under section 1614(a)(3) of that Act ([42 U.S.C. 1382c\(a\)\(3\)](#)) who is incapable of self-support because of mental or physical incapacity."

(2) CONFORMING AMENDMENT.-

Subsection (i) of such section is amended by inserting "(a)(4) or" after "subsection".

(b) REGULATIONS.- Section 1455(d) of such title is amended-

(1)

in the subsection heading, by striking "AND FIDUCIARIES" and inserting ", FIDUCIARIES, AND SPECIAL NEEDS TRUSTS";

(2)

in paragraph (1)-

- (A) in subparagraph (A), by striking "and" at the end;
- (B) in subparagraph (B), by striking the period at the end and inserting "; and"; and
- (C) by adding at the end the following new subparagraph:

*"(C) a dependent *child* incapable of self-support because of mental or physical incapacity for whom a supplemental or special needs trust, as described in subparagraph (A) or (C) of sec-*

tion 1917(d)(4) of the Social Security Act ([42 U.S.C. 1396p\(d\)\(4\)](#)), has been established.”;

(3)

in paragraph (2)-

- (A) by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively;
- (B) by inserting after subparagraph (B) the following new subparagraph (C):
 - “(C) In the case of an annuitant referred to in paragraph (1)(C), payment of the annuity to the supplemental or special needs trust established for the annuitant.”;
- (C) in subparagraph (D), as redesignated, by striking “subparagraphs (D) and (E)” and inserting “subparagraphs (E) and (F)”;
- (D) in subparagraph (H), as so redesignated-
 - (i) by inserting “or (1)(C)” after “paragraph (1)(B)” in the matter preceding clause (i);
 - (ii) in clause (i), by striking “and” at the end;
 - (iii) in clause (ii), by striking the period at the end and inserting “; and”; and
 - (iv) by adding at the end the following new clause:
 - “(iii) procedures for determining when annuity payments to a supplemental or special needs trust shall end based on the death or marriage of the dependent *child* for which the trust was established.”; and

(4)

in paragraph (3), by striking “to guardian or fiduciary” in the paragraph heading.

History

Mr. Moran (for himself, Mr. Foster, Mr. Rangel, Mr. Connolly, Mr. Ryan of Ohio, and Mr. Polis) introduced the following bill; which was referred to the Committee on Armed Services

June 4, 2013

Sponsor(s)

Sponsor and Cosponsors as of 06/06/2013
 Moran, James P. (D-VA) - Sponsor
 Rangel, Charles B. (D-NY) - Cosponsor
 Ryan, Timothy J. (D-OH) - Cosponsor
 Foster, G. William (D-IL) - Cosponsor
 Polis, Jared (D-CO) - Cosponsor
 Connolly, Gerald E. (D-VA) - Cosponsor

Load-Date: June 7, 2013

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113 S. 1076

AS INTRODUCED IN THE SENATE; Date of Introduction May 23, 2013

Reporter: 2013 S. 1076; 113 S. 1076

FULL TEXT OF BILLS > 113th Congress, 1st Session > IN THE SENATE OF THE UNITED STATES > S. 1076

Synopsis

A BILL to amend title 10, United States Code, to provide for the payment of monthly annuities under the Survivor Benefit Plan to a supplemental or special needs trust established for the sole benefit of a *disabled* dependent *child* of a participant in the Survivor Benefit Plan.

Text

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 "*Disabled Military Child* Protection Act of 2013".

SEC. 2. SURVIVOR BENEFIT PLAN ANNUITIES FOR SPECIAL NEEDS TRUSTS ESTABLISHED FOR THE BENEFIT OF DEPENDENT *CHILDREN* INCAPABLE OF SELF-SUPPORT.

(a) SPECIAL NEEDS TRUST AS ELIGIBLE BENEFICIARY.-

(1) IN GENERAL.-

Subsection (a) of [section 1450 of title 10, United States Code](#), is amended-

- (A) by redesignating paragraph (4) as paragraph (5); and
- (B) by inserting after paragraph (3) the following new paragraph (4):

*"(4) SPECIAL NEEDS TRUSTS FOR SOLE BENEFIT OF CERTAIN DEPENDENT *CHILDREN*.-*

Notwithstanding subsection (i), a supplemental or special needs trust described in subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act ([42 U.S.C. 1396p\(d\)\(4\)](#)) that is established for the sole benefit of a dependent *child* considered *disabled* under section 1614(a)(3) of that Act ([42 U.S.C. 1382c\(a\)\(3\)](#)) who is incapable of self-support because of mental or physical incapacity."

(2) CONFORMING AMENDMENT.-

Subsection (i) of such section is amended by inserting "(a)(4) or" after "subsection".

(b) REGULATIONS.- Section 1455(d) of such title is amended-

(1)

in the subsection heading, by striking "AND FIDUCIARIES" and inserting ", FIDUCIARIES, AND SPECIAL NEEDS TRUSTS";

(2)

in paragraph (1)-

- (A) in subparagraph (A), by striking "and" at the end;
- (B) in subparagraph (B), by striking the period at the end and inserting "; and"; and
- (C) by adding at the end the following new subparagraph:

*"(C) a dependent *child* incapable of self-support because of mental or physical incapacity for whom a supplemental or special needs trust, as described in subparagraph (A) or (C) of sec-*

tion 1917(d)(4) of the Social Security Act ([42 U.S.C. 1396p\(d\)\(4\)](#)), has been established.”;

(3)

in paragraph (2)-

- (A) by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively;
- (B) by inserting after subparagraph (B) the following new subparagraph (C):
 - “(C) In the case of an annuitant referred to in paragraph (1)(C), payment of the annuity to the supplemental or special needs trust established for the annuitant.”;
- (C) in subparagraph (D), as redesignated, by striking “subparagraphs (D) and (E)” and inserting “subparagraphs (E) and (F)”;
- (D) in subparagraph (H), as so redesignated-
 - (i) by inserting “or (1)(C)” after “paragraph (1)(B)” in the matter preceding clause (i);
 - (ii) in clause (i), by striking “and” at the end;
 - (iii) in clause (ii), by striking the period at the end and inserting “; and”; and
 - (iv) by adding at the end the following new clause:
 - “(iii) procedures for determining when annuity payments to a supplemental or special needs trust shall end based on the death or marriage of the dependent *child* for which the trust was established.”; and

(4)

in paragraph (3), by striking “to guardian or fiduciary” in the paragraph heading.

History

Mrs. Hagan (for herself and Mrs. Gillibrand) introduced the following bill; which was read twice and referred to the Committee on Armed Services

May 23, 2013

Sponsor(s)

Hagan, Kay R. (D-NC) - Sponsor

Load-Date: June 3, 2013

FULL TEXT OF BILLS

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