

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1577

To amend title II of the Social Security Act to prohibit the payment of benefits to any individual confined to a public institution pursuant to court order based on a verdict that the individual is guilty of a criminal offense, but insane, or not guilty of such an offense by reason of insanity, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 21 (legislative day, OCTOBER 13), 1993

Mr. HELMS introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title II of the Social Security Act to prohibit the payment of benefits to any individual confined to a public institution pursuant to court order based on a verdict that the individual is guilty of a criminal offense, but insane, or not guilty of such an offense by reason of insanity, 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,*

1 **SECTION 1. PROHIBITION ON PAYMENT OF BENEFITS TO**  
2 **INDIVIDUALS CONFINED BY COURT ORDER**  
3 **TO PUBLIC INSTITUTIONS PURSUANT TO**  
4 **VERDICTS OF GUILTY BUT INSANE OR NOT**  
5 **GUILTY BY REASON OF INSANITY.**

6 (a) IN GENERAL.—Section 202(x)(1) of the Social  
7 Security Act (42 U.S.C. 402(x)(1)) is amended—

8 (1) by inserting “(A)” after “(1)”, and

9 (2) by adding at the end the following new sub-  
10 paragraph:

11 “(B) Notwithstanding any other provision of this  
12 title, no monthly benefits shall be paid under this section  
13 or under section 223 to any individual for any month dur-  
14 ing which such individual is confined in any public institu-  
15 tion by a court order pursuant to a verdict that the indi-  
16 vidual is—

17 “(i) guilty of an offense described in subpara-  
18 graph (A), but insane (or subject to a similar condi-  
19 tion, such as a mental disease, a mental defect, or  
20 mental incompetence); or

21 “(ii) not guilty of such an offense by reason of  
22 insanity (or by reason of a similar finding, such as  
23 a mental disease, a mental defect, or mental incom-  
24 petence).”.

25 (b) CONFORMING AMENDMENTS.—

1           (1) Section 202(x)(3) of such Act (42 U.S.C.  
2   402(x)(3)) is amended by striking “any individual”  
3   and all that follows and inserting “any individual  
4   confined as described in paragraph (1) if the jail,  
5   prison, penal institution, correctional facility, or  
6   other public institution to which such individual is so  
7   confined is under the jurisdiction of such agency and  
8   the Secretary requires such information to carry out  
9   the provisions of this section.”.

10          (2) The heading for section 202(x) of such Act  
11   is amended by inserting “and Certain Other Inmates  
12   of Public Institutions” after “Prisoners”.

13          (c) EFFECTIVE DATE.—The amendments made by  
14   this section shall apply with respect to benefits for months  
15   commencing after 90 days after the date of the enactment  
16   of this Act.

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