

A BILL FOR AN ACT

To further amend title 53 of the Code of the Federated States of Micronesia, as amended, by amending section 802 to make changes to the eligibility requirements for the surviving spouse benefit, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 802 of title 53 of the Code of the
2 Federated States of Micronesia is hereby amended to read as
3 follows:

4 "Section 802. Surviving spouse benefits.

5 (1) Every surviving spouse who:

6 (a) was married to an individual who died fully
7 insured; and

8 (b) files an application;

9 shall be entitled to a surviving spouse insurance
10 benefit, subject to the earnings test as defined in this
11 subtitle.

12 (2) Surviving spouse benefit payments shall be paid
13 for each month commencing with the month of death of the
14 fully insured spouse and ending with the month preceding
15 the month in which the surviving spouse dies or
16 remarries.

17 (3) A surviving spouse who remarries is eligible, upon
18 application and subject to the earnings test as defined
19 in this subtitle, to have his or her surviving spouse

1 benefit reinstated should the marriage come to an end
2 for any reason.

3 [~~(3)~~] (4) Notwithstanding the provisions of subsections
4 (1), ~~and~~ (2) and (3) above, retroactive payments shall
5 be limited to the twelve (12) months immediately
6 preceding the month in which the surviving spouse has
7 submitted an application."

8 Section 2. This act shall become law upon approval by the
9 President of the Federated States of Micronesia or upon its
10 becoming law without such approval.

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12 Date: 11/1/04

Introduced by: /s/ Dohsis Halbert

Dohsis Halbert

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