

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2559

To amend title II of the Social Security Act to increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2008

Mr. DODD (for himself and Mr. MCCAIN) 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 increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability.

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 “Blind Persons Earn-  
5 ings Fairness Act of 2008”.

1 **SEC. 2. INCREASE IN AMOUNT DEMONSTRATING SUBSTAN-**  
2 **TIAL GAINFUL ACTIVITY IN THE CASE OF**  
3 **BLIND INDIVIDUALS.**

4 (a) IN GENERAL.—Section 223(d)(4) of the Social  
5 Security Act (42 U.S.C. 423(d)(4)) is amended—

6 (1) by striking the second sentence of subpara-  
7 graph (A); and

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

10 “(C) No individual who is blind shall be regarded as  
11 having demonstrated an ability to engage in substantial  
12 gainful activity on the basis of monthly earnings in any  
13 taxable year that do not exceed an amount equal to—

14 “(i) in the case of earnings in the taxable year  
15 beginning after December 31, 2007, and before Jan-  
16 uary 1, 2009, \$1,800 per month;

17 “(ii) in the case of earnings in the taxable year  
18 beginning after December 31, 2008, and before Jan-  
19 uary 1, 2010, \$2,200 per month;

20 “(iii) in the case of earnings in the taxable year  
21 beginning after December 31, 2009, and before Jan-  
22 uary 1, 2011, \$2,500 per month;

23 “(iv) in the case of earnings in the taxable year  
24 beginning after December 31, 2010, and before Jan-  
25 uary 1, 2012, \$2,850 per month; and

1           “(v) in the case of earnings in a taxable year  
2           beginning after December 31, 2011, the exempt  
3           amount applicable under section 203(f)(8) to an in-  
4           dividual who has attained retirement age (as defined  
5           in section 216(l)) before the close of the taxable year  
6           involved.”.

7           (b) EFFECTIVE DATE.—The amendments made by  
8           this section shall apply to taxable years beginning after  
9           December 31, 2007.

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