

**AMENDMENT TO THE AMERICAN RESCUE PLAN
ACT OF 2021**

OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Page 476, insert after line 9 the following:

1 (f) IN GENERAL.—No benefits authorized under this
2 section shall be paid to any individual who, while otherwise
3 eligible to receive such benefits, is confined in a jail, pris-
4 on, or other penal institution or correctional facility for
5 conviction of a felony. Such benefit shall be paid instead
6 according to subsection (g).

7 (1) FELONIOUS OFFENSES.—An offense is a
8 felony for purposes of this subsection if—

9 (A) it is a felony under applicable law and
10 the prisoner is serving a sentence of a year or
11 longer; or

12 (B) in a jurisdiction which does not clas-
13 sify any crime as a felony, it is an offense pun-
14 ishable by death or imprisonment for a term ex-
15 ceeding one year.

16 (2) CONFINEMENT.—In general, a jail, prison,
17 or other penal institution or correctional facility is a
18 facility which is under the control and jurisdiction of
19 the agency in charge of the penal system or in which

1 convicted criminals can be incarcerated. Confine-
2 ment in such a facility continues as long as the indi-
3 vidual is under a sentence of confinement and has
4 not been released due to parole or pardon. An indi-
5 vidual is considered confined even though he or she
6 is temporarily or intermittently outside of that facil-
7 ity (including an individual on work release, attend-
8 ing school, or hospitalized).

9 (g) BENEFITS DESIGNATED FOR CHILD SUPPORT.—

10 Any individual covered by subsection (f) may, after the
11 process in subsection (h) is set up, submit appropriate ma-
12 terials to the Commissioner of the Internal Revenue Serv-
13 ice or appropriate authority designating a former spouse
14 or domestic partner, legally separated spouse or domestic
15 partner, or another person with a court recognized child
16 custody or child support arrangement with said individual
17 to receive the benefit said individual is eligible for under
18 this section. The benefits shall be solely and exclusively
19 used for the purposes of paying child support.

20 (h) GUIDELINES.—The Commissioner of the Internal
21 Revenue Service shall set up a process, within 90 days
22 after the date of enactment of this Act, where by an indi-
23 vidual subject to subsection (f) shall designate an eligible
24 person pursuant to subsection (g) to receive the benefits
25 said individual is eligible for under this section. The Com-

1 missionary is authorized to request any information from,
2 or coordinate with, a Federal, State, or local agency as
3 necessary to determine whether an individual, otherwise
4 eligible for benefits under this section, is subject to sub-
5 section (f). The Commissioner shall not send any benefit
6 to an individual covered under subsection (f) but rather
7 such benefit shall only be sent to an individual properly
8 designated pursuant to subsection (g) in this section.

