

107TH CONGRESS  
1ST SESSION

# S. 28

To guarantee the right of all active duty military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2001

Mr. GRAMM (for himself and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To guarantee the right of all active duty military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections.

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 “Military Voting Rights  
5 Act of 2001”.

6 **SEC. 2. GUARANTEE OF RESIDENCY.**

7 Article VII of the Soldiers’ and Sailors’ Civil Relief  
8 Act of 1940 (50 U.S.C. 700 et seq.) is amended by adding  
9 at the end the following:

1       “SEC. 704. (a) For purposes of voting for an office  
2 of the United States or of a State, a person who is absent  
3 from a State in compliance with military or naval orders  
4 shall not, solely by reason of that absence—

5           “(1) be deemed to have lost a residence or  
6 domicile in that State;

7           “(2) be deemed to have acquired a residence or  
8 domicile in any other State; or

9           “(3) be deemed to have become resident in or  
10 a resident of any other State.

11       “(b) In this section, the term ‘State’ includes a terri-  
12 tory or possession of the United States, a political subdivi-  
13 sion of a State, territory, or possession, and the District  
14 of Columbia.”.

15 **SEC. 3. STATE RESPONSIBILITY TO GUARANTEE MILITARY**  
16 **VOTING RIGHTS.**

17       (a) REGISTRATION AND BALLOTING.—Section 102 of  
18 the Uniformed and Overseas Absentee Voting Act (42  
19 U.S.C. 1973ff-1) is amended—

20           (1) by inserting “(a) ELECTIONS FOR FEDERAL  
21 OFFICES.—” before “Each State shall—”; and

22           (2) by adding at the end the following:

23       “(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—  
24 Each State shall—

1           “(1) permit absent uniformed services voters to  
2           use absentee registration procedures and to vote by  
3           absentee ballot in general, special, primary, and run-  
4           off elections for State and local offices; and

5           “(2) accept and process, with respect to any  
6           election described in paragraph (1), any otherwise  
7           valid voter registration application from an absent  
8           uniformed services voter if the application is received  
9           by the appropriate State election official not less  
10          than 30 days before the election.”.

11          (b) CONFORMING AMENDMENT.—The heading for  
12          title I of such Act is amended by striking out **“FOR**  
13          **FEDERAL OFFICE”**.

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