

110TH CONGRESS
2D SESSION

H. R. 6070

To amend the Servicemembers Civil Relief Act to guarantee the residency of spouses of military personnel.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2008

Mr. CARTER (for himself, Mr. BURGESS, Mr. CONAWAY, Mr. PEARCE, Mr. THORNBERRY, Mr. KUCINICH, Mr. WILSON of South Carolina, Mr. MCCOTTER, Mr. KING of New York, Mr. FERGUSON, Mr. MCHUGH, Mr. MCCRERY, Mr. MCCARTHY of California, Mr. DENT, Mr. REHBERG, Mr. BROWN of South Carolina, Mr. LATTA, Mr. BARRETT of South Carolina, Mr. TERRY, Mr. PUTNAM, Mr. GINGREY, Mr. COLE of Oklahoma, Mr. CULBERSON, Mr. BOUSTANY, Mr. McDERMOTT, Mr. SIRES, Mr. HOLT, Mr. KENNEDY, Mr. CANTOR, Mr. DREIER, Mr. BOEHNER, Mr. BLUNT, Mr. RODRIGUEZ, Mr. BRADY of Texas, Mr. NEUGEBAUER, Mrs. BLACKBURN, Ms. GINNY BROWN-WAITE of Florida, Ms. GRANGER, Mr. SULLIVAN, Mr. EDWARDS, Mr. ROGERS of Michigan, Mr. MARSHALL, Mr. CUELLAR, Mr. POE, Mr. HINOJOSA, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mr. DAVID DAVIS of Tennessee, Mr. GALLEGLY, Mr. HALL of Texas, Mr. ROSS, Mr. MICA, Mr. DEAL of Georgia, Mr. BROUN of Georgia, Mr. COBLE, Ms. FOXX, Mr. TURNER, Mr. HENSARLING, Mr. SMITH of Texas, Mr. SHUSTER, Mr. McCAUL of Texas, Mr. KINGSTON, Mr. BOOZMAN, Mr. KLINE of Minnesota, Ms. ROS-LEHTINEN, Mr. RANGEL, Mr. LINCOLN DAVIS of Tennessee, and Mrs. MYRICK) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend the Servicemembers Civil Relief Act to guarantee the residency of spouses of military personnel.

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 Spouses Resi-
5 dency Relief Act”.

6 **SEC. 2. GUARANTEE OF RESIDENCY FOR SPOUSES OF MILI-**
7 **TARY PERSONNEL.**

8 (a) GUARANTEE OF RESIDENCY.—Section 705 of the
9 Servicemembers Civil Relief Act (50 U.S.C. App. 595) is
10 amended—

11 (1) by striking “For” and inserting “(a) For”;
12 and

13 (2) by adding at the end the following new sub-
14 section:

15 “(b) For the purposes of voting for any Federal office
16 (as defined in section 301 of the Federal Election Cam-
17 paign Act of 1971 (2 U.S.C. 431)) or a State or local
18 office, a person who is absent from a State because the
19 person is accompanying the person’s spouse who is absent
20 from that same State in compliance with military or naval
21 orders shall not, solely by reason of that absence—

22 “(1) be deemed to have lost a residence or
23 domicile in that State, without regard to whether or
24 not the person intends to return to that State;

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

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

5 (b) CLERICAL AMENDMENTS.—

6 (1) The heading for such section is amended to
7 read as follows:

8 **“SEC. 705. GUARANTEE OF RESIDENCY FOR MILITARY PER-**
9 **SONNEL AND SPOUSES OF MILITARY PER-**
10 **SONNEL.”.**

11 (2) The item relating to such section in the
12 table of contents in section 1(b) of such Act is
13 amended to read as follows:

“Sec. 705. Guarantee of residency for military personnel and spouses of mili-
tary personnel.”.

14 **SEC. 3. RESIDENCE FOR TAX PURPOSES.**

15 Section 511(a) of the Servicemembers Civil Relief Act
16 (50 U.S.C. App. 571(a)) is amended—

17 (1) by inserting “(1)” before “A servicemem-
18 ber”; and

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

20 “(2) A spouse of a servicemember shall neither lose
21 nor acquire a residence or domicile for purposes of tax-
22 ation with respect to the person, personal property, or in-
23 come of the spouse by reason of being absent or present
24 in any tax jurisdiction of the United States solely to be

1 with the servicemember in compliance with the
2 servicemember's military orders if the residence or domi-
3 cile, as the case may be, is the same for the servicemember
4 and the spouse.”.

○