

111TH CONGRESS
2^D SESSION

H. R. 4664

To amend the Servicemembers Civil Relief Act to provide for a one-year moratorium on the sale or foreclosure of property owned by surviving spouses of servicemembers killed in Operation Iraqi Freedom or Operation Enduring Freedom.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2010

Mr. KRATOVIL introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend the Servicemembers Civil Relief Act to provide for a one-year moratorium on the sale or foreclosure of property owned by surviving spouses of servicemembers killed in Operation Iraqi Freedom or Operation Enduring Freedom.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ONE-YEAR MORATORIUM ON SALE OR FORE-**
2 **CLOSURE OF PROPERTY OWNED BY SUR-**
3 **VIVING SPOUSES OF SERVICEMEMBERS**
4 **KILLED IN OPERATION IRAQI FREEDOM OR**
5 **OPERATION ENDURING FREEDOM.**

6 (a) MORATORIUM.—Section 303 of the
7 Servicemembers Civil Relief Act (50 U.S.C. App. 533) is
8 amended—

9 (1) by redesignating subsection (d) as sub-
10 section (e);

11 (2) by inserting after subsection (c) the fol-
12 lowing new subsection (d):

13 “(d) DEATH OF SERVICEMEMBER.—

14 “(1) SALE OR FORECLOSURE.—In the case of
15 the surviving spouse of a servicemember described in
16 paragraph (2) who has an obligation described in
17 subsection (a), a sale, foreclosure, or seizure of prop-
18 erty for a breach of such an obligation shall not be
19 valid if made during the one-year period beginning
20 on the date of the servicemember’s death except—

21 “(A) upon a court order granted before
22 such sale, foreclosure, or seizure with a return
23 made and approved by the court; or

24 “(B) if made pursuant to an agreement as
25 provided in section 107.

1 “(2) ELIGIBLE SERVICEMEMBERS.—A service-
2 member described in this paragraph is a service-
3 member who dies while serving on active duty in
4 support of Operation Iraqi Freedom or Operation
5 Enduring Freedom.”; and

6 (3) in subsection (a)—

7 (A) in the matter preceding paragraph (1),
8 by inserting after “servicemember” the fol-
9 lowing: “, or for purposes of subsection (d), the
10 surviving spouse of a servicemember described
11 in paragraph (2) of that subsection,”; and

12 (B) in paragraph (1), by inserting after
13 “servicemember” the following: “, or for pur-
14 poses of subsection (d), the surviving spouse of
15 a servicemember described in paragraph (2) of
16 that subsection,”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 subsection (a), shall apply with respect to deaths occurring
19 on or after the date of the enactment of this Act.

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