

115TH CONGRESS  
1ST SESSION

# H. R. 578

To amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2017

Mr. WITTMAN (for himself and Mr. ISSA) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers.

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 Residency  
5 Choice Act”.

6 **SEC. 2. RESIDENCE OF SPOUSES OF SERVICEMEMBERS**  
7 **FOR TAX PURPOSES.**

8 (a) RESIDENCE FOR TAX PURPOSES.—Section  
9 511(a)(2) of the Servicemembers Civil Relief Act (50  
10 U.S.C. 4001(a)(2)) is amended by adding at the end the

1 following new sentence: “The spouse of a servicemember  
2 may elect to use the same residence for purposes of tax-  
3 ation as the servicemember regardless of the date on which  
4 the marriage of the spouse and the servicemember oc-  
5 curred.”.

6 (b) **APPLICABILITY.**—The amendment made by sub-  
7 section (a) shall apply with respect to any return of State  
8 or local income tax filed for any taxable year beginning  
9 with the taxable year that includes the date of the enact-  
10 ment of this Act.

11 **SEC. 3. RESIDENCE OF SPOUSES OF SERVICEMEMBERS**  
12 **FOR VOTING.**

13 (a) **IN GENERAL.**—Section 705(b) of such Act is  
14 amended—

15 (1) by striking “State or local office” and all  
16 that follows through the period at the end of para-  
17 graph (3) and inserting “State or local office—”;  
18 and

19 (2) by adding at the end the following new  
20 paragraphs:

21 “(1) a person who is absent from a State be-  
22 cause the person is accompanying the person’s  
23 spouse who is absent from that same State in com-  
24 pliance with military or naval orders shall not, solely  
25 by reason of that absence—

1           “(A) be deemed to have lost a residence or  
2           domicile in that State, without regard to wheth-  
3           er or not the person intends to return to that  
4           State;

5           “(B) be deemed to have acquired a resi-  
6           dence or domicile in any other State; or

7           “(C) be deemed to have become a resident  
8           in or a resident of any other State; and

9           “(2) the spouse of a servicemember may elect  
10          to use the same residence as the servicemember re-  
11          gardless of the date on which the marriage of the  
12          spouse and the servicemember occurred.”.

13          (b) **EFFECTIVE DATE.**—The amendments made by  
14          subsection (a) shall take effect on the date that is 90 days  
15          after the enactment of this Act.

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