

116TH CONGRESS
2D SESSION

S. 3637

To amend the Servicemembers Civil Relief Act to extend lease protections for servicemembers under stop movement orders in response to a local, national, or global emergency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2020

Mr. TESTER (for himself, Mr. MORAN, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BOOZMAN, Mr. BROWN, Mr. CASSIDY, Mr. CRAMER, Ms. HIRONO, Mr. ROUNDS, Mr. SULLIVAN, Mr. TILLIS, Mr. MANCHIN, and Mrs. LOEFFLER) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend the Servicemembers Civil Relief Act to extend lease protections for servicemembers under stop movement orders in response to a local, national, or global emergency, and for other purposes.

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. EXTENSION OF LEASE PROTECTIONS FOR**
 2 **SERVICEMEMBERS UNDER STOP MOVEMENT**
 3 **ORDERS IN RESPONSE TO LOCAL, NATIONAL,**
 4 **OR GLOBAL EMERGENCY.**

5 (a) TERMINATION.—Subsection (a)(1) of section 305
 6 of the Servicemembers Civil Relief Act (50 U.S.C. 3955)
 7 is amended—

8 (1) in subparagraph (A), by striking “; or” and
 9 inserting a semicolon;

10 (2) in subparagraph (B), by striking the period
 11 at the end and inserting “; or”; and

12 (3) by adding at the end the following new sub-
 13 paragraph:

14 “(C) the date of the lessee’s stop move-
 15 ment order described in paragraph (1)(C) or
 16 (2)(C) of subsection (b), as the case may be.”.

17 (b) COVERED LEASES.—

18 (1) LEASES OF PREMISES.—Paragraph (1) of
 19 subsection (b) of such section is amended—

20 (A) in subparagraph (A), by striking “;
 21 or” and inserting a semicolon;

22 (B) in subparagraph (B), by striking the
 23 period at the end and inserting “; or”; and

24 (C) by adding at the end the following new
 25 subparagraph:

1 “(C) the servicemember, while in military
2 service—

3 “(i) executes a lease upon receipt of
4 military orders for a permanent change of
5 station or to deploy with a military unit, or
6 as an individual in support of a military
7 operation, for a period of not less than 90
8 days; and

9 “(ii) thereafter receives a stop move-
10 ment order issued by the Secretary of De-
11 fense in response to a local, national, or
12 global emergency, effective for an indefi-
13 nite period or for a period of not less than
14 30 days, which prevents the servicemember
15 or servicemember’s dependents from occu-
16 pying the lease for a residential, profes-
17 sional, business, agricultural, or similar
18 purpose.”.

19 (2) LEASES OF MOTOR VEHICLES.—Paragraph
20 (2) of such subsection is amended—

21 (A) in subparagraph (A), by striking “;
22 or” and inserting a semicolon;

23 (B) in subparagraph (B)(ii), by striking
24 the period at the end and inserting “; or”; and

1 (C) by adding at the end the following new
 2 subparagraph:

3 “(C) the servicemember, while in military
 4 service—

5 “(i) executes a lease upon receipt of
 6 military orders described in subparagraph
 7 (B); and

8 “(ii) thereafter receives a stop move-
 9 ment order issued by the Secretary of De-
 10 fense in response to a local, national, or
 11 global emergency, effective for an indefi-
 12 nite period or for a period of not less than
 13 30 days, which prevents the servicemem-
 14 ber, or the servicemember’s dependents,
 15 from using the vehicle for personal or busi-
 16 ness transportation.”.

17 (c) EFFECTIVE DATE OF TERMINATION.—Paragraph
 18 (1) of subsection (d) of such section is amended to read
 19 as follows:

20 “(1) LEASE OF PREMISES.—

21 “(A) ENTRANCE TO MILITARY SERVICE,
 22 PERMANENT CHANGE OF STATION, OR DEPLOY-
 23 MENT.—In the case of a lease described in sub-
 24 paragraph (A) or (B) of subsection (b)(1) that
 25 provides for monthly payment of rent, termi-

1 nation of the lease under subsection (a) is effective
2 tive 30 days after the first date on which the
3 next rental payment is due and payable after
4 the date on which the notice under subsection
5 (c) is delivered. In the case of any other lease
6 described in subparagraphs (A) and (B) of sub-
7 section (b)(1) termination of the lease under
8 subsection (a) is effective on the last day of the
9 month following the month in which the notice
10 is delivered.

11 “(B) STOP MOVEMENT ORDERS.—In the
12 case of a lease described in subsection
13 (b)(1)(C), termination of the lease under sub-
14 section (a) is effective on the date on which the
15 requirements of subsection (c) are met for such
16 termination.”.

17 (d) TECHNICAL CORRECTION.—Subsection (i) is
18 amended, in the matter before paragraph (1), by inserting
19 “In this section:” after “DEFINITIONS.—”.

20 (e) RETROACTIVE APPLICATION.—The amendments
21 made by this section shall apply to stop movement orders
22 issued on or after March 1, 2020.

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