

105TH CONGRESS  
1ST SESSION

# S. 278

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

FEBRUARY 5, 1997

Mr. GRAMM (for himself, Mrs. HUTCHISON, Mr. SESSIONS, and Mr. COVERDELL) 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 1997”.

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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