

116TH CONGRESS
1ST SESSION

S. 1383

To amend the Servicemembers Civil Relief Act to provide a guarantee of residency for registration of businesses of spouses of members of the uniformed services, to improve occupational license portability for military spouses through interstate compacts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 9, 2019

Mr. COTTON (for himself, Mrs. SHAHEEN, and Ms. MCSALLY) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend the Servicemembers Civil Relief Act to provide a guarantee of residency for registration of businesses of spouses of members of the uniformed services, to improve occupational license portability for military spouses through interstate compacts, 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. GUARANTEE OF RESIDENCY FOR REGISTRA-**
 2 **TION OF BUSINESSES OF SPOUSES OF MEM-**
 3 **BERS OF UNIFORMED SERVICES.**

4 (a) IN GENERAL.—Title VI of the Servicemembers
 5 Civil Relief Act (50 U.S.C. 4021 et seq.) is amended by
 6 adding at the end the following new section:

7 **“SEC. 707. GUARANTEE OF RESIDENCY FOR BUSINESSES OF**
 8 **SPOUSES OF SERVICEMEMBERS.**

9 “For the purposes of registering a business—

10 “(1) a person who is absent from a State be-
 11 cause the person is accompanying the person’s
 12 spouse who is absent from that same State in com-
 13 pliance with military or naval orders shall not, solely
 14 by reason of that absence—

15 “(A) be deemed to have lost a residence or
 16 domicile in that State, without regard to wheth-
 17 er or not the person intends to return to that
 18 State;

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

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

23 “(2) the spouse of a servicemember may elect
 24 to use the same residence as the servicemember re-
 25 gardless of the date on which the marriage of the
 26 spouse and the servicemember occurred.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
 2 in section 1(b) of such Act is amended by inserting after
 3 the item relating to section 706 the following new item:

“Sec. 707. Guarantee of residency for businesses of spouses of servicemembers.”.

4 **SEC. 2. IMPROVEMENT OF OCCUPATIONAL LICENSE PORT-**
 5 **ABILITY FOR MILITARY SPOUSES THROUGH**
 6 **INTERSTATE COMPACTS.**

7 Section 1784 of title 10, United States Code, is
 8 amended by adding at the end the following new sub-
 9 section:

10 “(h) IMPROVEMENT OF OCCUPATIONAL LICENSE
 11 PORTABILITY THROUGH INTERSTATE COMPACTS.—

12 “(1) IN GENERAL.—The Secretary of Defense
 13 may enter into a cooperative agreement with the
 14 Council of State Governments to assist with funding
 15 of the development of interstate compacts on li-
 16 censed occupations in order to alleviate the burden
 17 associated with relicensing in such an occupation by
 18 spouse of a members of the armed forces in connec-
 19 tion with a permanent change of duty station of
 20 members to another State.

21 “(2) LIMITATION.—The amount provided under
 22 paragraph (1) as assistance for the development of
 23 any particular interstate compact may not exceed
 24 \$1,000,000.

1 “(3) ANNUAL REPORT.—Not later than Feb-
2 ruary 28 each year, the Secretary shall submit to
3 the Committees on Armed Services of the Senate
4 and the House of Representatives a report on inter-
5 state compacts described in paragraph (1) developed
6 through assistance provided under that paragraph.
7 Each report shall set forth the following:

8 “(A) Any interstate compact developed
9 during the preceding calendar year, including
10 the occupational licenses covered by such com-
11 pact and the States agreeing to enter into such
12 compact.

13 “(B) Any interstate compact developed
14 during a prior calendar year into which one or
15 more additional States agreed to enter during
16 the preceding calendar year.

17 “(4) EXPIRATION.—The authority to enter into
18 a cooperative agreement under paragraph (1), and
19 to provide assistance described in that paragraph
20 pursuant to such cooperative agreement, shall expire
21 on September 30, 2024.”.

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